

under. Left to themselves without foreign protection against the Communists, they would probably decompose into small pockets of rival tribal areas.

Of course, the true purpose of the domino theory was not to describe the situation in Asia but to rationalize the Vietnamese war

for American public opinion. The idea was that the American presence could be justified as a kind of proxy action on behalf of the Japanese, the Thais, the Malaysians and Indonesians. It was a case of trying to mitigate our own guilt by implicating others.

The others, naturally, demand a price for

easing the American conscience. That is why Secretary Rogers on his recent rounds found, not offers of help, but demands for more assistance. The fact is that it will be impossible for this country to deal straight with Asians as long as American officials continue to delude themselves with the domino theory.

## HOUSE OF REPRESENTATIVES—Tuesday, July 14, 1970

The House met at 12 o'clock noon.

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

*The Lord is my strength and my shield; my heart trusts in Him and I am helped.*—Psalm 28: 7.

Eternal God and Father of us all, in whose presence our restless spirits find peace, by whose guidance we are led in the paths of righteousness, and under whose banner we find our souls renewed, we turn from the tumult of a troubled world, not to evade it, but to be given insight to face our perplexing problems with a courageous faith, a confident hope, and a creative spirit.

Bestow upon us an abundance of good, sound commonsense, season it with understanding, flavor it with love, stir it with truth, that out of our efforts on behalf of our country may come a greater unity of free men living together in good will striving for peace in our world.

In the spirit of Christ we pray. Amen.

### THE JOURNAL

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

### EULOGIES TO THE LATE HONORABLE WILLIAM L. ST. ONGE, OF CONNECTICUT

Mr. FRIEDEL. Mr. Speaker, I am calling to the attention of the House membership that the closing date for eulogies to the late Representative William L. St. Onge, of Connecticut, has been set for Friday, July 24, 1970. This has been set as the cutoff date for all insertions that will make up the compendiums of eulogy for this Member of Congress who, but for his untimely passing, would now be serving in the 91st Congress.

### MESSAGE FROM THE SENATE

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

H.R. 7618. An act to provide for the conveyance of certain real property of the Federal Government to the Board of Public Instruction, Okaloosa County, Fla.

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

H.R. 16915. An act making appropriations for the legislative branch for the fiscal year ending June 30, 1971, and for other purposes.

The message also announced that the Senate insists upon its amendments to

the bill (H.R. 16915) entitled "An act making appropriations for the legislative branch for the fiscal year ending June 30, 1971, and for other purposes," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MONTOYA, Mr. PROXMIRE, Mr. YARBOROUGH, Mr. PEARSON, and Mr. COTTON to be the conferees on the part of the Senate.

The message also announced that the Senate insists upon its amendments to the bill (H.R. 17070) entitled "An act to improve and modernize the postal service, to reorganize the Post Office Department, and for other purposes," disagreed to by the House; agrees to the conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. MCGEE, Mr. YARBOROUGH, Mr. RANDOLPH, Mr. FONG, and Mr. BOGGS, to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 3215) entitled "An act to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes."

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

S. 3959. An act to amend title 5, United States Code, to provide additional civil service retirement and sick leave benefits for air traffic controllers.

### MAKING IN ORDER CONSIDERATION OF CONFERENCE REPORT ON S. 2601, DISTRICT OF COLUMBIA COURT REFORM AND CRIMINAL PROCEDURE ACT OF 1970

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it shall be in order on tomorrow, Wednesday, July 15, to consider the conference report on the bill S. 2601, the District of Columbia Court Reform and Criminal Procedure Act of 1970, notwithstanding rule 28, clause 2.

Mr. Speaker, I make this request because of the high cost of printing the voluminous conference report in the CONGRESSIONAL RECORD. I am informed that it might cover as many as 160 pages of the RECORD. I can assure the Members that printed copies of the report, in pamphlet form, will be available for their consideration before this report is called up.

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

There was no objection.

### LEGISLATIVE PROGRAM FOR WEDNESDAY, JULY 15

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

Mr. GERALD R. FORD. Mr. Speaker, I take this time for the purpose of asking the distinguished majority leader whether he can inform the House when this conference report will be scheduled for consideration.

Mr. ALBERT. It is intended to schedule it and two other conference reports tomorrow.

Mr. GERALD R. FORD. And this would undoubtedly be the first one to be considered?

Mr. ALBERT. I am not able to answer the gentleman's question on that. We have one from the Committee on Science and Astronautics and one from the Committee on Ways and Means and this one. I think all three will be called up tomorrow.

Mr. GERALD R. FORD. I thank the gentleman.

### A SIGN OF TRUE OUTRAGE

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

Mr. SCHERLE. Mr. Speaker, I did not go to Vietnam. I have not seen the so-called tiger cages. If they are what they are touted to be, they are an outrage.

But that is beside the point. The point is that those who want communism to win in Southeast Asia and those who want the United States to lose have erected another strawman. Those who cry most loudly about the tiger cages have been the quiet ones when it comes to demanding redress against the North Vietnamese for keeping American soldiers in bamboo cages, pulling out their finger nails, and otherwise torturing them.

Where have their cries of outrage been over the Hue massacre, over the tens of thousands of South Vietnamese killed, kidnaped, and tortured by the Communists?

We cannot hear them. They are silent because none of these things serve their purpose—which is to bring on a U.S. retreat and defeat.

Yes, let them call for humane treatment of South Vietnam's prisoners. But let them also call for humane treatment for North Vietnam's prisoners and every other human being held against his will. That will be a sign of true outrage. That will be the time when we will know they are sincere.

CONFERENCE REPORT ON H.R. 14685,  
TO AMEND THE INTERNATIONAL  
TRAVEL ACT OF 1961

Mr. MOSS, on behalf of Mr. STAGGERS, filed the following conference report and statement on the bill (H.R. 14685) to amend the International Travel Act of 1961, as amended, in order to improve the balance of payments by further promoting travel to the United States, and for other purposes:

CONFERENCE REPORT (H. Doc. No. 91-1299)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 14685) to amend the International Travel Act of 1961, as amended, in order to improve the balance of payments by further promoting travel to the United States, 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 section 3 of the International Travel Act of 1961 (75 Stat. 129; 22 U.S.C. 2121-2126) is amended by changing the period at the end of clause 4 of subsection (a) to a semicolon, and by inserting after such clause the following:

"(5) upon the application of any State or political subdivision or combination thereof, or private or public nonprofit organization or association, may make grants for projects designed to carry out the purposes of this Act if he finds that such projects will facilitate and encourage travel to any State or political subdivision or combination thereof by residents of foreign countries. No financial assistance will be made available under this clause unless the Secretary determines that matching funds will be available from State or other non-Federal sources and in no event will the amount of any grant under this clause for any project exceed 50 per centum of the cost of such project. The Secretary is authorized to establish such policies, standards, criteria, and procedures and to prescribe such rules and regulations as he may deem necessary or appropriate for the administration of this clause;

"(6) may enter into contracts with private profit- or non-profit making individuals, businesses, and organizations for projects designed to carry out the purposes of this Act whenever he determines that such projects cannot be accomplished under the authority of clause (5) of this subsection; and

"(7) may make awards of merchandise manufactured and purchased in the United States to travel agents and tour operators in foreign countries as an incentive for their promotion of travel to the United States by residents of foreign countries. The Secretary is authorized to establish such policies, standards, criteria, and procedures as he may deem necessary or appropriate for the administration of this clause."

Sec. 2. Section 3 of such Act (22 U.S.C. 2123) is amended by adding at the end thereof the following new subsections:

"(c) Each recipient of assistance under clause (5) of subsection (a) of this section shall keep such records as the Secretary shall prescribe, including records which fully disclose the amount and disposition of such recipient of the proceeds of such assistance, the total cost of the project or undertaking in connection with which such assistance is given or used, and the amount of that portion

of the cost of the project or undertaking supplied by other sources, and such other records as will facilitate an effective audit.

"(d) The Secretary and the Comptroller General of the United States, or any of their duly authorized representatives shall have access for the purpose of audit and examination to any books, documents, papers, and records of the recipients that are pertinent to the assistance received under clause (5) of subsection (a) of this section."

SEC. 3. (a) Section 4 of such Act (22 U.S.C. 2124) is amended to read as follows:

"Sec. 4. There is established in the Department of Commerce a United States Travel Service which shall be headed by an Assistant Secretary of Commerce for Tourism who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall report directly to the Secretary. All the duties and responsibilities of the Secretary under this Act shall be exercised directly by the Secretary or by the Secretary through the Assistant Secretary of Commerce for Tourism. In addition, the Secretary shall designate at least one individual to serve as Deputy Assistant Secretary of Commerce for Tourism who shall be under the supervision of the Assistant Secretary of Commerce for Tourism."

(b) Paragraph (12) of section 5315 of title 5, United States Code (relating to level IV of the Executive Schedule), is amended by striking out "(5)" and inserting in lieu thereof "(8)".

SEC. 4. Section 6 of such Act is amended to read as follows:

"Sec. 6. For the purpose of carrying out the provisions of this Act, there is authorized to be appropriated not to exceed \$15,000,000 for each of the fiscal years ending June 30, 1971, June 30, 1972, and June 30, 1973. Funds appropriated under this section shall be available without regard to the provisions of section 501 and 3702 of title 44 of the United States Code. Funds appropriated under this section for printing of travel promotion materials are authorized to be made available for two fiscal years."

SEC. 5. Section 7 of such Act is renumbered "SEC. 8." and a new section 7 is inserted to read as follows:

"Sec. 7. As used in this Act, the term 'United States' and the term 'State' are defined to include the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, American Samoa, and the Trust Territory of the Pacific Islands."

SEC. 6. (a) There is established a commission to be known as the National Tourism Resources Review Commission (hereafter in this section referred to as the "Commission") composed of fifteen members as follows:

(1) One representative of the Department of Commerce designated by the Secretary of Commerce.

(2) One representative of the Department of the Interior designated by the Secretary of the Interior.

(3) One representative of the Department of State designated by the Secretary of State.

(4) One representative of the Department of Transportation designated by the Secretary of Transportation.

(5) Eleven individuals appointed by the President from private life who are informed about and concerned with the improvement, development, and promotion of United States tourism resources and opportunities or who are otherwise experienced in tourism research, promotion, or planning. The President shall designate one of the individuals appointed by him to serve as Chairman of the Commission.

(b) The Commission shall make a full and complete study and investigation for the purpose of—

(1) determining the domestic travel needs of the people of the United States and of

visitors from other countries at the present time and to the year 1980;

(2) determining the travel resources of the United States available to satisfy such needs now and to the year 1980;

(3) determining policies and programs which will insure that the domestic travel needs of the present and the future are adequately and efficiently met;

(4) determining a recommended program of Federal assistance to the States in promoting domestic travel; and

(5) determining whether a separate agency of the Government should be established, or whether an existing department, agency, or instrumentality within the Government should be designated, to consolidate and coordinate tourism research, planning, and development activities presently performed by different existing agencies of the Government.

The Commission shall submit a comprehensive report of its activities and the results of such study and investigation, together with its recommendations with respect thereto, to the President and to the Congress not later than two years after the first meeting of the Commission. The Commission shall cease to exist sixty days after the date of the submission of its comprehensive report. The comprehensive report of the Commission shall propose such legislative enactments and administrative actions as in its judgment are necessary to carry out its recommendations.

(c) The Secretary of Commerce shall make available to the Commission such secretarial, clerical, and other assistance as the Commission may require to carry out its functions under this section. The Commission is authorized to request from any department, agency, or independent instrumentality of the Government any information and assistance it deems necessary to carry out its functions under this section; and each such department, agency, and instrumentality is authorized to cooperate with the Commission and, to the extent permitted by law, to furnish such information and assistance to the Commission upon request made by its Chairman.

(d) In order to carry out the provisions of this section, the Commission is authorized—

(1) to make, promulgate, issue, rescind, and amend rules and regulations governing the manner of the operations of the Commission;

(2) to appoint and fix the compensation of such officers and employees as are necessary to carry out the provisions of this section and to prescribe their authority and duties; and

(3) to obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code.

(e) (1) Members of the Commission from private life, while engaged in the performance of their duties as members of the Commission, shall receive compensation at a rate to be fixed by the President, not to exceed \$100 each day, including traveltime, and shall, while so serving away from their homes or regular places of business, be entitled to travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(2) Members of the Commission who are officers or employees of the United States shall serve without additional compensation, but shall be entitled to travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(f) There are authorized to be appropriated such sums, not to exceed \$1,250,000, as

may be necessary to carry out the provisions of this section.

And the Senate agree to the same.

HARLEY O. STAGGERS,  
JOHN E. MOSS,  
JOHN M. MURPHY,  
WILLIAM L. SPRINGER,  
HASTINGS KEITH,

*Managers on the Part of the House.*

WARREN G. MAGNUSON,  
DANIEL K. INOUE,  
HOWARD W. CANNON,  
WINSTON PROUTY,  
CHAS. GOODELL,

*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. 14685) to amend the International Travel Act of 1961, as amended, in order to improve the balance of payments by further promoting travel to the United States, 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 Senate amendment struck out all after the enacting clause of the House bill and inserted a substitute text. The House receded from its disagreement to the amendment of the Senate and agreed to the same with an amendment which is a substitute for both the text of the Senate amendment and the text of the House bill.

Except for technical, clerical, and minor drafting changes made necessary by reason of the agreement reached by the committee of conference, the differences between the House bill and the substitute agreed to in conference are noted below.

#### CONTRACTS WITH PRIVATE CONCERNS

The House bill authorized the Secretary to enter into contracts with private profit-making individuals, businesses, and organizations engaged in the travel or travel-promotion business for projects to carry out the purposes of the Act whenever he determined that such projects could not be accomplished under the matching funds grant provisions of the Act.

The Senate amendment authorized the Secretary to enter into contracts with private profit- or non-profit-making individuals, businesses, and organizations for projects to carry out the purposes of the Act whenever he determined that such projects could not be accomplished under the matching funds grant provisions of the Act.

The conference agreement follows the Senate version.

#### DEFINITION OF STATE

The House bill defined the term "United States" and the term "State" to include the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

The Senate amendment contained a similar definition except that it also included the Trust Territory of the Pacific Islands.

The conference agreement follows the Senate version.

#### ASSISTANT SECRETARY OF COMMERCE FOR TOURISM

The Senate bill established in the Department of Commerce a United States Travel Service to be headed by an Assistant Secretary of Commerce for Tourism appointed by the President, by and with the advice and consent of the Senate, who is required to report directly to the Secretary. The duties and responsibilities of the Secretary under the Act were required to be exercised directly by the Secretary or by him through the Assistant Secretary of Commerce for Tourism. The Secretary was required to designate at least one individual to serve as Dep-

uty Assistant Secretary of Commerce for Tourism to be under the supervision of the Assistant Secretary of Commerce for Tourism.

The House bill contained no comparable provision.

The conference agreement follows the Senate version.

#### NATIONAL TOURISM RESOURCES REVIEW COMMISSION

##### Creation of Commission

The House bill established a National Tourism Resources Review Commission composed of eight Government representatives and seven private individuals as follows:

(1) One representative of the Department of Agriculture designated by the Secretary of Agriculture.

(2) One representative of the Department of Commerce designated by the Secretary of Commerce.

(3) One representative of the Department of the Interior designated by the Secretary of the Interior.

(4) One representative of the Department of State designated by the Secretary of State.

(5) One representative of the Department of Transportation designated by the Secretary of Transportation.

(6) One representative of the Civil Aeronautics Board designated by the Chairman of the Board.

(7) One representative of the Federal Maritime Commission designated by the Chairman of the Commission.

(8) One representative of the Interstate Commerce Commission designated by the Chairman of the Commission.

(9) Seven individuals appointed by the President from private life, informed about and concerned with the improvement, development, and promotion of United States tourism, resources and opportunities or otherwise experienced in tourism, research, promotion, or planning. The President was required to designate one of the individuals appointed by him to serve as chairman.

The Senate amendment established a similar commission except that it was composed solely of 15 private individuals appointed by the President.

The conference agreement established the Commission along the lines of the House bill except that the number of private individuals appointed to the Commission was increased from seven to eleven and the number of Government representatives was reduced from eight to four as follows:

(1) One representative of the Department of Commerce designated by the Secretary of Commerce.

(2) One representative of the Department of the Interior designated by the Secretary of the Interior.

(3) One representative of the Department of State designated by the Secretary of State.

(4) One representative of the Department of Transportation designated by the Secretary of Transportation.

(5) Eleven individuals appointed by the President from private life, one of whom the President shall designate to serve as chairman.

##### Duties of the Commission

The House bill provided that one of the duties of the Commission would be to determine whether a separate agency of the Government should be established to consolidate and coordinate tourism research, planning, and development activities presently performed by different existing agencies of the Government.

The Senate amendment required the Commission to recommend an existing department, agency, or instrumentality within the Government to consolidate and coordinate such activities.

The conference agreement requires the Commission to determine, in the alternative,

whether a separate agency should be established, or an existing department, agency, or instrumentality within the Government should be designated, to consolidate and coordinate such activities.

##### Report of Commission

The House bill required the Commission to submit a comprehensive report of its activities and results of its study and investigation, together with its recommendations with respect thereto, to the President and to the Congress not later than two years after the date of enactment of the section. The House bill also provided that the Commission would cease to exist 60 days after the date of submission of its report. The report of the Commission also required to propose such legislative enactments and administrative action necessary to carry out the recommendations of the Commission.

The Senate amendment required the Commission to report the results of its investigation and study to the President not later than two years after the first meeting of the Commission. The President was required to submit the report, together with his recommendations, to the Commission. The Senate amendment provided that the Commission would cease to exist 30 days after it had submitted its report to the President.

The conference agreement follows the House version except that it requires that the report be submitted not later than two years after the first meeting of the Commission rather than two years after the date of enactment of the section.

##### Authority of Commission

The Senate amendment gave the Commission authority (1) to issue regulations governing operations of the Commission, (2) to appoint and fix the compensation of officers and employees necessary to carry out the provisions of the section, and (3) to obtain the services of experts and consultants in accordance with section 3109 of title 5, United States Code.

The House bill contained no comparable provision.

The conference agreement follows the Senate version.

##### Compensation of Commission members

The House bill provided that Government members of the Commission would serve without additional compensation, but would be entitled to receive travel and subsistence expenses in connection with the performance of their duties. Members of the Commission from private life were to receive \$100 per diem plus travel and subsistence expenses incurred in connection with the performance of their duties.

Under the Senate amendment there were no Government members of the Commission and the Senate amendment provided that all members of the Commission would receive compensation at a rate to be fixed by the President not to exceed \$100 each day, including traveltime, and be entitled to travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

The conference agreement follows the Senate version with respect to members of the Commission from private life. With respect to members of the Commission who are officers or employees of the United States, the conference agreement provides that they shall serve without additional compensation, but shall be entitled to travel expenses, including per diem in lieu of subsistence, as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

##### Appropriation authorization

The House bill authorized an appropriation of not to exceed \$250,000 to carry out the provisions of the section.

The Senate amendment authorized an appropriation of not to exceed \$2,500,000.

The conference agreement authorizes an appropriation of not to exceed \$1,250,000.

HARLEY O. STAGGERS,  
JOHN E. MOSS,  
JOHN M. MURPHY,  
WILLIAM L. SPRINGER,  
HASTINGS KEITH,

*Managers on the Part of the House.*

**CALL OF THE HOUSE**

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 214]

|               |              |                |
|---------------|--------------|----------------|
| Ashley        | Fallon       | Ottinger       |
| Baring        | Feighan      | Pollock        |
| Berry         | Fountain     | Powell         |
| Blanton       | Gallifanakis | Preyer, N.C.   |
| Boggs         | Gialmo       | Price, Tex.    |
| Bolling       | Gray         | Railsback      |
| Brock         | Green, Pa.   | Rarick         |
| Broomfield    | Hagan        | Relief         |
| Brown, Calif. | Halpern      | Rosenthal      |
| Burton, Utah  | Hanna        | Roudebush      |
| Caffrey       | Hébert       | Ryan           |
| Chappell      | Jones, N.C.  | Scheuer        |
| Clancy        | King         | Stuckey        |
| Clark         | Kirwan       | Taft           |
| Clay          | Lennon       | Taylor         |
| Conyers       | Lloyd        | Teague, Tex.   |
| Cramer        | Long, La.    | Thompson, N.J. |
| Crane         | McDonald,    | Vander Jagt    |
| Daddario      | Mich.        | Waggoner       |
| Dawson        | McKneally    | Watson         |
| Diggs         | Mann         | Weicker        |
| Dingell       | May          | Wilson,        |
| Dorn          | Meskill      | Charles H.     |
| Eckhardt      | Moorhead     | Wright         |
| Edwards, La.  | Morton       |                |

The SPEAKER. On this rollcall 359 Members have answered to their names, a quorum.

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

**HEALTH, EDUCATION, AND WELFARE APPROPRIATIONS**

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

Mr. MAHON. Mr. Speaker, considerable interest has been manifested in the availability of hearings and reports on bills out of the Appropriations Committee.

I would like to announce that on Thursday we will report the HEW bill, that part which does not deal with education, since we have already passed the education part of the bill.

The first volume of the hearings has been available to Members, the press and the public for more than a month and other parts of the hearings have been available for quite some time. The report will be available at noon on Thursday, as is customary, to all Members of the House, the press and to the public.

**INSTITUTE FOR CONTINUING STUDIES OF JUVENILE JUSTICE**

(Mr. KASTENMEIER asked and was given permission to address the House for

1 minute, and to revise and extend his remarks.)

Mr. KASTENMEIER. Mr. Speaker, Subcommittee No. 3 of the Committee on the Judiciary, of which I am chairman, announces that it has scheduled public hearings on H.R. 14950 and related measures, to amend title 18 of the United States Code by adding a new chapter 404 to establish an Institute for Continuing Studies of Juvenile Justice. The bill provides that a short-term training program similar to that of the FBI Training Academy be created to give advanced training to law enforcement officers, juvenile judges, probation personnel, correctional personnel, welfare personnel and lay personnel working to combat juvenile delinquency.

Rather than simply provide for further study of juvenile delinquency, the bill would establish a clearinghouse or data bank for existing information. It would also provide continuing education and training for persons now working in the juvenile delinquency field.

This legislation has enjoyed extremely substantial support among Members of the House. A total of 11 bills introduced or cosponsored by approximately 100 Members has been introduced. The principal authors of these measures have been invited to testify at the hearing scheduled for Thursday, July 23. Cosponsors and others desiring to make their views known by submitting prepared statements should communicate with counsel to the subcommittee on extension 3927.

**STATEMENT BY THE PRESIDENT OF THE UNITED MINE WORKERS OF AMERICA**

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

Mr. KEE. Mr. Speaker, I respectfully call to the attention of the Members of the House the statement issued by the President of the United Mine Workers of America today.

The United Mine Workers of America today called for immediate action to name and confirm a "fully qualified" director of the U.S. Bureau of Mines as an essential step to end the chaos now surrounding the Federal Coal Mine Health and Safety Act and its enforcement.

In urging speedy action, the union charged that the issue of a director has become a "political football" at the expense of mine health and safety conditions.

W. A. "Tony" Boyle, UMWA president, said:

We do not seek to name the director. We simply want a director to end the buck passing. That has been our position all along. We know that while there is no director, it is almost impossible to win the fight for enforcement of the law.

Boyle charged that the claim that the UMW backed Prof. Richard Lucas, who has withdrawn as nominee for Bureau of Mines director, is an "outright calumny" against the union. Boyle said:

We took the position that there must be a director and that every day without one imperils the lives of mine workers. We stated

that we would not prejudice the performance of Professor Lucas for the post.

Our sole interest is the health and safety of miners. There is far too much political maneuvering and footdragging on this whole issue, and the welfare of mine workers, unfortunately, is being reduced to a secondary consideration.

We will not play politics with the health and safety of our membership. We want a director without further delay. We will be the first to protest laxity in enforcement no matter who heads the Bureau and we will then be in a position to center responsibility where it belongs.

**PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS**

Mr. SISK. Mr. Speaker, on behalf of the Committee on Rules, I ask unanimous consent that the Committee on Rules may have until midnight tonight to file certain privileged reports.

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

There was no objection.

**LEGISLATIVE REORGANIZATION ACT OF 1970**

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 the further 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 further consideration of the bill H.R. 17654, with Mr. NATCHER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the Committee rose on yesterday the Clerk had read through the first section, ending on page 1, line 4 of the bill.

The Chair desires to make a statement respecting the germaneness of amendments to title 1 of the bill.

Any amendment offered to the pending section 101, or to any subsequent section of the bill, is subject to the rule of germaneness. An amendment to a section must be germane to that section. An amendment adding a new section must be germane to the part of the bill to which offered.

Sections 102 through 118 of title I of the bill deal generally with the committee system, committee procedures and hearings, and related matters.

Section 119 brings in a new subject—the consideration of conference reports—and thus has the effect of broadening the scope of title I.

Following the consideration of section 118, amendments introducing new matter, not otherwise touched on in title I, but relating to the rules of the House, may be in order.

The Clerk will read.

The Clerk read as follows:

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- Sec. 102. Calling of committee meetings.
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- Sec. 105. Filing of committee reports.
- Sec. 106. Proxy voting.
- Sec. 107. Supplemental, minority, and additional views.
- Sec. 108. Availability of committee reports and printed hearings on measures and matters before floor consideration thereof.
- Sec. 109. Motions for consideration by the House of measures previously made in order by resolution for consideration.
- Sec. 110. Committee funds.
- Sec. 111. Public notice of committee hearings.
- Sec. 112. Open committee hearings.
- Sec. 113. Statements of witnesses at committee hearings.
- Sec. 114. Calling of witnesses selected by the minority at committee hearings.
- Sec. 115. Points of order with respect to committee hearing procedure.
- Sec. 116. Broadcasting of committee hearings.
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- Sec. 118. Legislative review by standing committees.
- Sec. 119. Conference reports.
- Sec. 120. Additional provisions pertaining to germaneness of amendments or motions with respect to measures before the House.
- Sec. 121. Reading of the Journal of the House.
- Sec. 122. Clarification of certain provisions and elimination of obsolete language in certain House rules.

## TITLE II—FISCAL CONTROLS

## PART 1—BUDGETARY AND FISCAL INFORMATION AND DATA

- Sec. 201. Budgetary and fiscal data processing system.
- Sec. 202. Budget standard classifications.
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## PART 2—THE BUDGET

- Sec. 221. Supplemental budget information.

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- Sec. 231. Assistance by General Accounting Office to congressional committees in connection with proposed legislation and committee review of Federal programs and activities.
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- Sec. 234. Furnishing to committees and Members of Congress by General Accounting Office of monthly and annual lists of its reports; availability of reports to committees and Members on request.
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## PART 4—THE APPROPRIATIONS PROCESS

- Sec. 241. Rulemaking power of Senate and House.

- Sec. 242. Hearings on the budget by Committee on Appropriations of Senate and House.

- Sec. 243. Action and procedure of Senate Committee on Appropriations.

## PART 5—LEGISLATIVE COMMITTEES

- Sec. 251. Rulemaking power of Senate and House.

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- Sec. 253. Appropriations on annual basis.

## TITLE III—SOURCES OF INFORMATION

## PART 1—STAFFS OF SENATE AND HOUSE STANDING COMMITTEES

- Sec. 301. Increase in professional staffs of Senate standing committees; Senate minority professional and clerical staffs; fair treatment for Senate minority staffs.

- Sec. 302. Increase in professional staffs of House standing committees; House minority professional and clerical staffs; fair treatment for House minority staffs.

- Sec. 303. Procurement of temporary or intermittent services of consultants for Senate and House standing committees.

- Sec. 304. Specialized training for professional staffs of Senate and House standing committees.

- Sec. 305. Compensation of professional and clerical staffs of Senate standing committees.

## PART 2—CONGRESSIONAL RESEARCH SERVICE

- Sec. 321. Improvement of research facilities of Congress.

- Sec. 322. Repeal of obsolete law relating to the abolished Office of Coordinator of Information.

## PART 3—JOINT COMMITTEE ON THE LIBRARY AND CONGRESSIONAL RESEARCH

- Sec. 331. Functions and operations of joint committee.

- Sec. 332. Related changes in existing law.

## PART 4—PARLIAMENTARY PRECEDENTS OF THE HOUSE OF REPRESENTATIVES

- Sec. 341. Periodic compilation of parliamentary precedents of the House of Representatives.

- Sec. 342. Periodic preparation by House Parliamentarian of condensed and simplified versions of House precedents.

## TITLE IV—CONGRESS AS AN INSTITUTION

## PART 1—JOINT COMMITTEE ON DATA PROCESSING

- Sec. 401. Congressional findings and policy.

- Sec. 402. Establishment of the Joint Committee on Data Processing.

- Sec. 403. Functions, powers, and duties of the Joint Committee.

- Sec. 404. Staff of the Joint Committee.

- Sec. 405. Consultant and advisory services for the Joint Committee.

- Sec. 406. Coordination with automatic data processing and information storage and retrieval facilities in the Executive Branch.

- Sec. 407. Operational authority of the Joint Committee.

- Sec. 408. Records of the Joint Committee.

- Sec. 409. Procedures for consideration by the Joint Committee of suggestions regarding uses and applications of the automatic data processing and information storage and retrieval system.

- Sec. 410. Contracts of the Joint Committee to be open to public inspection.

- Sec. 411. Reports to the Congress by the Joint Committee.

- Sec. 412. Expenses of the Joint Committee.

## PART 2—ABOLISHMENT OF JOINT COMMITTEE ON IMMIGRATION AND NATIONALITY POLICY

- Sec. 421. Abolishment of Joint Committee on Immigration and Nationality Policy.

- Sec. 422. Conforming changes in existing law.

## PART 3—AUTHORITY OF OFFICERS OF THE CONGRESS OVER CONGRESSIONAL EMPLOYEES

- Sec. 431. Authority over congressional employees.

## PART 4—THE CAPITOL GUIDE SERVICE

- Sec. 441. Establishment and operation of the Capitol Guide Service.

- Sec. 442. Coverage of employees of the Capitol Guide Service under the Federal civil service retirement program with resultant coverage under Federal life insurance and health benefits programs.

- Sec. 443. Transitional provisions relating to the establishment of the Capitol Guide Service and the conclusion of the operations of the existing United States Capitol Guide organization.

## PART 5—ADMINISTRATIVE ASSISTANTS FOR HOUSE MEMBERS

- Sec. 451. Administrative assistants for Members of the House.

## PART 6—SENATE AND HOUSE PAGES

- Sec. 461. Senate and House pages.

## PART 7—MODERNIZATION OF HOUSE GALLERIES

- Sec. 471. Modernization and improvement of gallery facilities in the House chamber.

## TITLE V—EFFECTIVE DATES

- Sec. 501. Effective dates.

## COMMITTEE AMENDMENTS

Mr. SISK. Mr. Chairman, I offer a technical amendment to the table of contents.

Mr. HALL. Mr. Chairman, would the gentleman yield for a parliamentary inquiry?

The CHAIRMAN. The Clerk will first report the committee amendment to the table of contents.

The Clerk read as follows:

Committee amendment: On page 3, in the item relating to section 242 in the table of contents, strike out "budget" and insert in lieu thereof "Budget".

The committee amendment was agreed to.

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

The Clerk read as follows:

Committee amendment: On page 3, in the item relating to section 331, strike out "joint committee" and insert "Joint Committee."

The committee amendment was agreed to.

Mr. SISK. Mr. Chairman, I move to strike out the last word.

## PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. SISK. I yield to the gentleman from Missouri for a parliamentary inquiry.

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding for the purpose of a parliamentary inquiry.

My inquiry, Mr. Chairman, pertains to the statement of the Chair as to germaneness.

Bearing full well in mind the rule which make the consideration of the bill, H.R. 17654 in order, from the Committee on Rules, and having listened with diligence to the statement of the Chair as to germaneness of any amendments suggested under title I of H.R. 17654, particularly from section 101 through section 118; and bearing full well in mind and having listened diligently to the Chair's statement as to section 119

through section 122, the remainder of title I, could the Chair cite precedents for his statement as to germaneness of amendments to these sections?

The CHAIRMAN. The gentleman's inquiry pertains to section 119 and from there on until the end of the bill; is that correct?

Mr. HALL. No, Mr. Chairman; that was the portion—section 119 on through the end of title I.

But as I understood the Chair's statement as to germaneness, it had to do particularly with section 101 through section 118 and stipulated that amendments must be germane to that particular section, if introduced.

The CHAIRMAN. The Chair would again read the last two paragraphs of the statement previously made by the Chair:

Sections 102 through 118 of title I of the bill deal generally with the committee system, committee procedures and hearings, and related matters.

Section 119 brings in a new subject—the consideration of conference reports—and thus has the effect of broadening the scope of title I.

Following the consideration of section 118, amendments introducing new matter, not otherwise touched on in title I, but relating to the rules of the House, may be in order.

Mr. HALL. Mr. Chairman, I appreciate that and my request is for the citation of precedents on which the Chair finds that germaneness is required by sections therein, over and above that of the rule which we adopted.

The CHAIRMAN. In volume VIII, on page 496 of the Precedents of the House of Representatives, under section 2931, appears the procedure as to the statement that the Chair just read:

2931. An amendment should be germane to that portion of the bill to which offered.

To a portion of a bill dealing with one class of Indian schools and amendment relating to an Indian school of another class was ruled not germane.

That is the precedent. The Chair would like to state to the distinguished gentleman from Missouri that there are other precedents along the same line.

Mr. HALL. Mr. Chairman, a further parliamentary inquiry, if the distinguished gentleman will yield further.

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

Mr. HALL. In the opinion of the Chair, would that precedent preclude an amendment that was germane—and one must define "germaneness" and determine the date of the precedent, and who determines germaneness in the opinion of the Chair—but with this background, and assuming the Chair properly interprets it and communicates it to the House and it is well grounded in precedent, would an amendment that did simply enlarge the scope of that section be considered germane in the opinion of the Chair?

The CHAIRMAN. The Chair informs the gentleman that if it relates to the rules of the House, it would be germane as to title I.

Mr. HALL. I thank the Chair. Would the Chairman give the Members the date of the precedent on page 496 of the

Precedents of the House of Representatives, 2931?

The CHAIRMAN. The Chair will inform the gentleman that the date was March 21, 1930.

Mr. HALL. I thank the Chairman.

#### PARLIAMENTARY INQUIRY

Mr. REUSS. Mr. Chairman, will the gentleman from California yield for a parliamentary inquiry?

Mr. SISK. Mr. Chairman, I yield to the gentleman from Wisconsin for a parliamentary inquiry.

Mr. REUSS. It is very brief. Mr. Chairman, the Chair has stated in its exposé of a moment ago that amendments which are not specific amendments to sections 102 through 108, inclusive, should be deferred until we have reached section 119. My question is this: Though the amendment be one that relates to the committee system, and though section 119 and that which follows relates to matters broader than the committee system, narrowly defined, it nevertheless would be in order, would it not, for an amendment to be proposed as we get to section 119, which does relate to the committee system, though is not specifically tied to the rules referred to in sections 102 through 118?

The CHAIRMAN. The Chair informs the gentleman that an amendment to rule XI could be offered before we reach section 119 of title I.

Mr. REUSS. But if it is an amendment to rule X, then section 119 is a proper place in which to bring that up?

The CHAIRMAN. The gentleman is correct.

Mr. SISK. Mr. Chairman, I yield back the remainder of my time.

The CHAIRMAN. If there are no amendments to be offered, the Clerk will read.

The Clerk read as follows:

#### TITLE I—THE COMMITTEE SYSTEM

##### RULEMAKING POWER OF SENATE AND HOUSE

Sec. 101. The following sections of this title are enacted by the Congress—

(1) insofar as applicable to the Senate, as an exercise of the rulemaking power of the Senate and, to the extent so applicable, those sections are deemed a part of the Standing Rules of the Senate, superseding other individual rules of the Senate only to the extent that those sections are inconsistent with those other individual Senate rules, subject to and with full recognition of the power of the Senate to enact or change any rule of the Senate at any time in its exercise of its constitutional right to determine the rules of its proceedings; and

(2) insofar as applicable to the House of Representatives, as an exercise of the rulemaking power of the House of Representatives, subject to and with full recognition of 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.

##### CALLING OF COMMITTEE MEETINGS

Sec. 102. (a) Section 133(a) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190a(a)) is amended to read as follows:

"(a) Each standing committee of the Senate (except the Committee on Appropriations) shall fix regular weekly, biweekly, or monthly meeting days for the transaction of business before the committee and additional meetings may be called by the chairman as he may deem necessary. If at least three members of any such committee desire

that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Immediately upon the filing of the request, the clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date and hour. If the chairman of any such committee is not present at any regular, additional, or special meeting of the committee, the ranking member of the majority party on the committee who is present shall preside at that meeting."

(b) Clause 26 of Rule XI of the Rules of the House of Representatives is amended to read as follows:

"26. (a) Each standing committee of the House shall fix, by written rule adopted by the committee, regular meeting days of the committee, not less frequent than monthly, for the conduct of its business. Each such committee shall meet, for the consideration of any bill or resolution pending before the committee or for the transaction of other committee business, on all regular meeting days fixed by the committee, unless otherwise provided by written rule adopted by the committee.

"(b) The chairman of each standing committee may call and convene, as he considers necessary, additional meetings of the committee for the consideration of any bill or resolution pending before the committee or for the conduct of other committee business. The committee shall meet for such purpose pursuant to that call of the chairman.

"(c) If at least three members of any standing committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting. Immediately upon the filing of the request, the clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date and hour of that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date and hour.

"(d) If the chairman of any standing committee is not present at any regular, additional, or special meeting of the committee, the ranking member of the majority party on the committee who is present shall preside at that meeting.

"(e) For the purposes of this clause, 'chairman' includes a Member acting as chairman under clause 3 of Rule X."

Mr. FASCELL. Mr. Chairman, the offered amendment deals with a gray area in the rules, one which is very sensitive, and one which I am sure all of us as

Members would rather we did not have to deal with, but, as a practical matter, one which we have experienced in this body from time to time. It seems only proper, therefore, that notwithstanding the sensitivities which may be involved, and perhaps the inability to articulate specifics in all cases of this kind, that we ought to deal with the problem.

I refer specifically now to rule X, clause 3, in order to get the perspective of the pending amendment. Clause 3 of rule X reads as follows:

At the commencement of each Congress, the House shall elect as chairman of each standing committee one of the Members thereof; in the temporary absence of the chairman the Member next in rank in the order named in the election of the committee, and so on, as often as the case shall happen, shall act as chairman; and in case of permanent vacancy in the chairmanship of any such committee the House shall elect another chairman.

So we see, Mr. Chairman, we have made provision in the rules for cases of temporary absence. As a matter of fact, the pending legislation even carries the proposal one step further, in the case of an acting chairman, allowing him to appoint someone to sit in his place while he is temporarily absent.

The existing rule itself takes care of temporary absence, and takes care of a permanent vacancy, but it does not provide a mechanism in the cases where the chairman, for whatever reason, is unable to discharge his duties as a committee chairman.

We have dealt with the same matter in the executive branch with the Presidential and Vice Presidential Disability Act.

This amendment is offered in that same spirit. It would allow the committee to use its sound judgment to designate a member to act as chairman in those cases where the committee determines that the chairman is unable to discharge his responsibility.

That is the amendment pure and simple. It adds another framework within the present rule for the conduct of the committees.

#### PARLIAMENTARY INQUIRY

Mr. FASCELL. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. FASCELL. Mr. Chairman, I have an amendment at the desk which occurs on page 8 after line 19, which is an amendment to section 102. My inquiry is whether or not it is germane pursuant to the ruling of the Chair.

The CHAIRMAN. The Chair would like to inquire as to whether the amendment relates to rule XI of the House. Does it relate to this rule?

Mr. FASCELL. It relates to matters which are covered in the pending legislation, Mr. Chairman, because it deals with the chairman of a standing committee and the powers and rules of the committee.

The CHAIRMAN. The Chair would like to inform the gentleman that his amendment may be offered.

#### AMENDMENT OFFERED BY MR. FASCELL

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

The Clerk read as follows:

Amendment offered by Mr. FASCELL: Section 102 of title 1 is amended by adding a new subsection on page 8 after line 19:

"(f) Whenever the chairman of any standing committee is unable to discharge his responsibilities, the committee by majority vote shall designate a member with full authority to act as chairman until such time as the chairman is able to resume his responsibilities."

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

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

Mr. BOLLING. I asked the gentleman to yield so that I may clarify what he proposes to do. The gentleman has read clause 3 of rule X. Clause 3 of rule X provides, among other things:

In the temporary absence of the chairman the Member next in rank in the order named in the election of the committee, and so on, as often as the case shall happen, shall act as chairman;

The problem with the gentleman's amendment, to someone who has spent a considerable time in examining the rules, is that the House has a number of creatures. The creatures are the committees of the House. The House reserves to itself the right to elect chairmen, and it so does. The rules of the House provide for the succession to the chairmanship in a temporary fashion or otherwise, to the chairman elected by the House.

I am aware of the problem which the gentleman and others have confronted for quite some time. It is not a unique problem. It is a problem which has been faced through these rules before.

I have no particular objection to the gentleman's amendment if the Members understand what they are doing.

What they are doing is taking away from the House the right which the rules provide for the House to elect its chairmen and to designate through this rule successors—

Mr. FASCELL. Mr. Chairman.

Mr. BOLLING. I will get the gentleman more time. I am not trying to filibuster.

Mr. FASCELL. I know you are not.

Mr. BOLLING (continuing). And moving the process of election from the House to the committee. That is a very, very fundamental change. I have no objection to the House doing it. If it desires to do so, it has the right to. But we are making a very fundamental change in approach if we provide for the election of chairmen by the House and the filling of vacancies in chairmanships by the committee.

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

(By unanimous consent, at the request of Mr. BOLLING, Mr. FASCELL was allowed to proceed for 5 additional minutes.)

Mr. FASCELL. Mr. Chairman, of course, one could make the interpretation that my distinguished colleague, a member of the Rules Committee, has

made with respect to this amendment, but I respectfully submit that this amendment does not shift the whole question of the election of chairmen out of the House to the committees. It does not do that. The rules now provide the manner for the election of chairmen.

If this amendment were adopted, the rules would continue to provide for the election of chairmen by the House. The present rule also requires or provides that in the case of temporary absence the next ranking member may be designated to act. The rule also provides in the case of permanent vacancy a new chairman shall be elected, by the House.

What the proposed amendment does is to provide a mechanism within the committee so when the majority of the committee knows full well that the chairman is unable to discharge his responsibilities because of ill health or otherwise, then the committee has a way to designate a new chairman with full authority. It does not change any prerogatives of the House or any rules of the House with respect to temporary absences or filling permanent vacancies but simply deals with the question of a chairman of a committee where there is a disability of the elected chairman of a standing committee.

I submit that this is necessary under the rules, Mr. Chairman.

I want to add very carefully now that this amendment says "until such time as the chairman is able to resume his duties." Therefore a designation under the pending amendment is not a permanent election and it is not a temporary absence. It is in between. It is a vehicle whereby the committee can carry out its business.

Furthermore, Mr. Chairman, and equally as important, it is vital that we clothe the chairman who acts in those kinds of cases with full authority under the rules and eliminate any questions that arise with respect to staffing, signing of vouchers, and payments of bills. The authority of a temporary chairman for these purposes now are in a gray area. Even they may be ultimately approved by the Committee on House Administration. However, that is no consolation to the chairman who must carry out the wishes, desires, and responsibilities of his committee when he does not have the legal authority to act because there is no permanent vacancy and no election can be held.

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

Mr. FASCELL. I yield to the gentleman from New York.

Mr. PODELL. Will the gentleman tell me whether or not he will accept an amendment to the present rules which would provide for the election of chairmen by the members of the committee?

Mr. FASCELL. At this point I am not prepared to discuss that subject. That is an entirely different matter going into the whole question of the election of chairmen of standing committees under the rules. I do not deal with that subject in this amendment.

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

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

Mr. HUNGATE. In my opinion this is somewhat analogous to the Presidential Disability Act with which we dealt some time ago?

Mr. FASCELL. That is correct.

Mr. HUNGATE. Is there any provision in the gentleman's amendment for a medical certificate looking toward ill health?

Mr. FASCELL. Actually, we considered that—some of us who worked on this particular amendment—and we discarded that approach because with respect to committee operations medical determination was not necessary. I will admit it is serious but it is not as serious as in the case of the President or the Vice President. So, frankly, we devised the method which would leave it to the best judgment of the members of the committee.

Mr. HUNGATE. Mr. Chairman, if the gentleman will yield further, as I understand it a majority vote would be sufficient to remove the chairman of the committee?

Mr. FASCELL. No; they could not remove the chairman. The gentleman makes a very good point. Under this provision the committee could not remove the chairman. The committee could designate a member to act as chairman until such time as a duly elected chairman of the standing committee could resume his full duties.

Mr. HUNGATE. In other words, they could determine—

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

(By unanimous consent Mr. FASCELL (at the request of Mr. HUNGATE) was allowed to proceed for 5 additional minutes.)

Mr. HUNGATE. Mr. Chairman, if the gentleman will yield further, could not, then, a majority of the committee under this proposed amendment determine that the chairman was disabled, whether he thought so or not, and act without medical advice?

Mr. FASCELL. That is absolutely correct. Of course, they could.

Mr. HUNGATE. That part of the amendment would concern me. We all act, of course, with the highest of motives, but sometimes we get at odds with perhaps one chairman and the committee by simple majority vote could declare the chairman disabled without medical advice and he would be disabled according to that determination.

Mr. FASCELL. That is a fear which the gentleman from Missouri may have, but I do not share his fear. In fact, I would be willing to place my judgment on him, his intelligence to carry out his responsibilities as a Member of Congress. I am willing to permit him to make that decision, awkward as it may be and sensitive as it may be.

Mr. HUNGATE. The disability determination that would be provided for could it be amended to require two-thirds of the committee to make some such judgment as that, analogous to presidential disability procedure?

Mr. FASCELL. I would make this distinction. I recognize the difficulty in-

involved. I say the duties of a chairman of this body are onerous and this can only be dealt with in the most serious vein. I will also say that all we are trying to do is exactly what the gentleman is talking about in following the Presidential Disability Act. But I, frankly, felt it would be better to leave the specifics within the judgment and discretion of the committee.

Mr. ANDERSON of Illinois. Mr. Chairman, will the gentleman yield?

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

Mr. ANDERSON of Illinois. Would it be within the purview or the meaning of your amendment that such things as excessive absenteeism on the part of a committee chairman, let us say, would be construed as an inability to carry out his duties so that he can thereby be removed, in effect, by the committee and the committee could designate a temporary chairman?

Mr. FASCELL. My distinguished colleague from Illinois is a most persuasive man. I am sure if the gentleman were on a committee and was faced with that situation, and he determined because of long, continuous absence or other reason he wanted to make a change and that in the opinion of the majority of the committee the chairman was unable to act and perform his responsibilities under the rules of the House he probably would make a good decision.

Mr. ANDERSON of Illinois. Mr. Chairman, if the gentleman will yield further, in making the legislative history on this amendment, you are not speaking solely in terms of a physical or medical disability when you speak of this disability of the chairman to carry out his duties?

Mr. FASCELL. Insofar as the gentleman who is the sponsor of the amendment is concerned, my own feeling is that the whole question of electing a chairman of a standing committee is most important and the question of the full and proper discharge of his responsibilities would be an equally important matter for the committee to decide.

But it is obviously the principal purpose of this amendment to deal with physical and mental ailments which prevent a chairman from carrying out his responsibilities, but is not limited to only those disabilities. There are others.

Mr. CELLER. Mr. Chairman, would the gentleman yield?

Mr. FASCELL. I yield to the distinguished dean of the House.

Mr. CELLER. Mr. Chairman, according to the last statement made by the gentleman, wherein he says that it is therefore entirely at the discretion of the members of the committee to determine whether the chairman is able or unable to carry out his responsibilities, would not that give complete power to the committee seriously or cavalierly to discharge or dispose of the chairman, and elect some other chairman. Thus, you give complete power?

Mr. FASCELL. Mr. Chairman, that is not quite the case, because the proposed amendment does not change the rule with respect to the election of permanent chairmen of standing committees, so that the committee would not

have the authority to depose the duly elected chairman.

They could, however, if they so determined—and the chairman is quite correct—if in their judgment they determine that the duly elected chairman of the standing committee was unable to fully and properly discharge his duties, then they could designate a member to be chairman until such time as the permanent chairman, duly elected, was able to resume his duties.

Mr. CELLER. In other words, the committee then could determine how long the duly elected chairman would continue in office?

Mr. FASCELL. Mr. Chairman, the committee could determine how long any duly designated chairman could act in lieu of the duly elected chairman of the standing committee, and he would serve only as long as the duly elected chairman of the standing committee was unable to discharge his responsibilities.

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

SUBSTITUTE AMENDMENT OFFERED BY MR. PODELL FOR THE AMENDMENT OFFERED BY MR. FASCELL

Mr. PODELL. Mr. Chairman, I offer a substitute amendment for the amendment offered by the gentleman from Florida (Mr. FASCELL).

The Clerk read as follows:

Substitute amendment offered by Mr. PODELL for the amendment offered by Mr. FASCELL: On page 8, after line 19, insert the following:

"(c) Clause 3 of Rule X of the Rules of the House of Representatives is amended to read:

"(3) At the commencement of each Congress, each standing committee shall elect a chairman and a vice-chairman from among its members; in the temporary absence of the chairman, the vice-chairman shall act as chairman; and in case of a permanent vacancy in the chairmanship of any such committee the committee shall elect another chairman and another vice-chairman."

On page 8, delete lines 14 through 17 and insert the following:

"(d) If the chairman of any standing committee is not present at any regular, additional, or special meeting of the committee, the vice-chairman shall preside at that meeting. If neither the chairman nor the vice-chairman is present, the committee shall then designate a Member of the committee to serve as chairman temporarily for the duration of that meeting."

On page 6, delete line 25, and on page 7, delete lines 1 through 3 and insert the following:

"If the chairman of any such committee is not present at any regular, additional, or special meeting of the committee, the vice-chairman shall preside at that meeting. If neither the chairman nor the vice-chairman is present, the committee shall then designate a Member of the committee to serve as chairman temporarily for the duration of that meeting."

The CHAIRMAN. For what purpose does the gentleman from California (Mr. SISK) rise?

POINT OF ORDER

Mr. SISK. A point of order, Mr. Chairman.

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

Mr. SISK. Mr. Chairman, I might put it in the form of a parliamentary inquiry.

Under the provision read by the Chair in the beginning, it would seem this def-

initely would not be germane—the amendment here being proposed as a substitute.

We make a point of order and ask for a ruling by the Chair in connection with this amendment.

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

Mr. PODELL. Yes, Mr. Chairman.

Mr. Chairman, for the past 10 or 15 minutes we have been discussing at length the question on the amendment introduced by the gentleman from Florida with regard to the appointment of an acting chairman in the absence of the existing chairman of a committee.

I think this goes to the entire basis of the concept of the appointments of committee chairmen.

By this amendment I attempt to provide that the chairman of a committee be elected by the members of that committee, because it is the members of that committee who are certainly more familiar with the activities of the chairman and with the activities of that committee.

Of course, this will require a complete change in the system we have existed under for so many years. But I submit that a complete change, gentlemen, is the only answer we can give to the people who are demanding such a change.

So I think you have to reevaluate a system which is presently based strictly on seniority and sort of bring in the question of merit, rather than age and seniority alone. After all, if a man has served on a committee for a number of years, basically it is the individuals who are members of that committee who can truly judge the merit, the intent and the dedication and purpose of the chairman.

In enacting such a change, you would not have to be confronted with the problem of just how, when, and where a subcommittee or second man on that committee be appointed.

This amendment also provides for the election by members of the committee of a vice chairman of that committee to act in the place of the chairman of the committee.

The CHAIRMAN. Does the gentleman from California (Mr. SMITH) desire to be heard on the point of order?

Mr. SMITH of California. I would like to ask the gentleman from California (Mr. SISK) if he intends to make a point of order, because, if not, I do. I did not quite get the gentleman's statement.

Mr. SISK. I did make the point of order.

Mr. SMITH of California. Mr. Chairman, I would like to be heard on the point of order.

Mr. Chairman, this amendment in my opinion is definitely subject to a point of order under the provisions which the Chair first announced inasmuch as it applies to chairmen and the election of chairmen of committees, and we are now considering a section of the bill which has to do only with committee meetings.

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

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

Mr. PODELL. Mr. Chairman, insofar

as an amendment to a bill which requires the amendment of three different parts, part of which is on page 6, which is the page under discussion now, and part of which is on page 23, which is a part that we have not gotten to yet, but which are dependent upon each other, how would the gentleman feel about the germaneness of such an amendment.

Mr. SMITH of California. I would think that you would have to ask unanimous consent at the proper time to offer it at that place.

But we are talking about committee meetings now and the only thing under consideration is the meetings of committees and how they are to be called. If, later on, after section 118 of the bill you ask unanimous consent and when we get to that—I do not know—but I would think that is the only way you can offer it because it definitely, in my opinion, is not germane at this point.

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

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

Mr. PODELL. My amendment requires the striking out of lines 14 through 17 on the appropriate page. In the event that any amendment is made to this section, then this section would then become law at the time of final passage. How would you then be able to amend retroactively a section which has been adopted?

Mr. SMITH of California. Of course, the Chair will have to rule on the question. I would suggest, if at the appropriate time you would ask unanimous consent to go back to that, that probably would be in accordance with the rules. Of course, I am not the one to determine that, but I think at this time the amendment is not germane.

The CHAIRMAN. The Chair is prepared to rule. The amendment offered by the gentleman from New York goes beyond the amendment offered by the gentleman from Florida. It is not germane to the amendment offered. But the Chair would like to inform the gentleman from New York that a portion of the amendment could be germane following section 118, as a new section. It could be germane at that point. The Chair sustains the point of order.

Mr. PODELL. I thank the Chair.

Mr. BOLLING. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from Florida.

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

Mr. BOLLING. Mr. Chairman, I spoke only briefly during the general debate. I had no idea when I would feel impelled to speak at greater length on this subject, but it happens that the amendment of the gentleman from Florida (Mr. FASCELL) which I understand perfectly and I deeply sympathize with the problem that has been confronted by the gentleman and others, illustrates a problem which, it seems to me, the House should bear in mind throughout the consideration of this bill.

I do not believe I need to submit my credentials for early advocacy of the need for change in this institution. If anybody has missed the fact that I have

avored change, I am sorry. I have been trying for 10 years to make it clear.

But, in addition, I have taken the trouble over time, along with many other Members, to actually understand the rules of the institution, and it is extraordinarily important to be aware of how dangerous the task on which we are embarked is. I doubt that there are very many Members in this institution who know that technically no Member can read a speech on the floor of the House, even though he wrote every word of it. There is a rule of the House that makes that out of order.

I would like to cite, merely to caution the Members—and, incidentally, I am in favor of some of the amendments that will be offered, and which are the most profound of the amendments, and I oppose some of the provisions which are in the bill—but I would like to give you an illustration of just how difficult it is to think through the significance of the change of even a word, much less a major provision.

There is a rule, I believe it is clause 26 of rule XI, which has very profound significance. There are very few people who have ever had a real experience with that particular clause. It is the clause that provides for a majority of a committee forcing action in a committee when the chairman of the committee is bitterly opposed to any action. That rule has been used very seldom in the modern history of the House—perhaps on two occasions. It was used first in modern times on the civil rights bill of 1957, and it turned out to be effective. But the staff of the committee, the Subcommittee on Organization, and the members of the Subcommittee on Organization chose to rewrite that rule, and a draft was submitted and tentatively approved by most of the members of the committee.

Three months later the staff which worked hard and the members of the committee which worked hard were still trying to see whether that change was going to be as effective as the original rule which was provided and sought to be improved.

It is extraordinarily dangerous to attempt to make changes, no matter how well intentioned, unless they have been thought through. I repeat, I am not for this bill going through without change. I think there are changes that need to be made. But this innocent amendment fundamentally changes the nature of the way the institution works.

For better or worse, the rules of the House provide for the election by the House of committee members. The rules of the House provide for the election by the House of committee chairmen. I repeat the rule that the gentleman from Florida (Mr. FASCELL) himself read:

At the commencement of each Congress, the House shall elect as chairman of each standing committee one of the members thereof . . .

We know perfectly well that is a pro forma proceeding. The Democrats come up with their slate, and if they are in the majority, the man first named is going to be elected chairman, and the Republicans come up with their slate, and if they are in the majority, the man first named

on their slate is going to be the chairman. The parties choose the chairman, the caucuses and the conferences choose the chairman, the committee on committees chooses the chairman, but it is left in the pro forma state of being ratified by the House as a whole.

Now we want to add as a temporary measure an election by the committees. I deeply sympathize with the dilemma confronted, but I submit that there is not necessary an amendment to accomplish the purpose desired. Clause 3 of rule X says:

In the temporary absence of the chairman the member next in rank in the order named in the election of the committee, and so on, as often as the case shall happen, shall act as chairman;

The House in its rules, by the list it elects, provides not only for a chairman but for acting chairmen in the number necessary.

While I do not think it really makes a great deal of difference in theory whether the amendment is adopted or not, it seemed to me that this was an excellent time to point out the kind of complication that will exist as we propose very casually amendments to a bill that has been worked on for 15 months. I repeat for the third time, I still favor some changes in that bill, but I favor changes that have been very carefully considered for a very long period of time. I would urge on my colleagues that while change is important, there is something that must go with change to make it wise—and that is judicious consideration. I believe we should be very careful in what we adopt and what we even offer in the interest of not finding that we have made ourselves rather silly.

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

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

Mr. FRASER. Mr. Chairman, is it the case that under the pending amendment there would be a substantial change in the way in which the temporary or acting chairman was selected, in that it would involve the participation of members of both the majority and minority parties on the committee and that it would be a departure from past practice?

Mr. BOLLING. That would be for all practical purposes a major departure from relatively recent past practice. Once upon a time the House of Representatives had many parties and different methods were used to select chairmen.

For years in this institution, since the overthrow of Cannon in 1910, the technique which has been used has been basically the party caucus or conference; sometimes overtly, as in the case of the Congresses in the Wilson days, and sometimes less overtly by the pro forma ratification of party action in the House as a whole.

I believe it is very important to understand what we are doing.

Mr. FRASER. I appreciate what the gentleman has said. I should like to indicate while I am in sympathy with the problem the gentleman who offered the amendment addresses himself to, it does seem to me it would be wiser to leave to

the caucuses of the respective parties the responsibility for naming chairmen. I would think we would want to hesitate before we shifted away from that basic practice.

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

Mr. BOLLING. I yield to the gentleman from New York.

Mr. CELLER. This state of facts might be possible under the amendment offered by the gentleman from Florida. Say, for example, that quite a number of the Democrats on my committee, of which I am chairman, are not in the Chamber. I might be deemed disabled. I am not present. There might be a full complement of Republicans present. If that committee, composed of a majority of Republicans at that particular meeting, wanted to elect a chairman, they could elect a Republican chairman of the Judiciary Committee. That would be possible and, vice versa, there could be elected a Democrat.

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

Mr. PODELL. Mr. Chairman, the time has come for Congress to practice what it preaches. We sit here in the greatest democratic deliberative body in the world, and above our head lay cobwebs of outworn and old-fashioned practices. We preach that we are legislating for a free and open society, yet many of our practices are shrouded in secrecy. We proudly claim that our Nation is the model of new technology and new science, yet we in the Congress conduct many of our practices as if we still were living in the Dark Ages. And we justifiably boast that we are at the helm of the world's greatest democracy, but gentlemen, many of our practices are simply not democratic. The time to end this hypocrisy has come; it has come now.

In the next few days, Congress will have the opportunity to update and reform itself. This opportunity must not be wasted; the issue of congressional reform is a vital one. What we do in the next few days will influence the course of every bill and proposal that comes before this body for years to come. When we legislate congressional reform, we are not merely legislating one issue, but we are legislating every issue. Therefore, I urge each Member to think carefully about the upcoming bill and each amendment; to automatically categorize each bill or amendment as too liberal or too drastic would be foolish.

I plead for dramatic revision of congressional organization on grounds of honesty, on grounds of efficiency, and on grounds of democracy. But, I plead for another reason also. Today, millions of our youth are in a quandary. They are wondering if they should accept the present system of government, and they are considering rejecting it. When they look to what they are told is the pinnacle of American democracy, the U.S. Congress, they see a choice of high position made by age rather than merit, they see votes cast in secret ballot, and they see only a handful of Members on the floor listening to debate of the issues. How, I ask, can we tell these young Americans to wholeheartedly embrace

their Government, when that very Government refuses to reform itself?

Mr. Chairman, the Congress should reform itself, and can do so by eliminating a number of old and outdated practices. One of these is the teller vote, which allows the Members of the House to vote in secret. It is a procedure dating from medieval England—in those days, the king would arrest any Member of Parliament who voted against him, and secret votes were necessary. But, in modern day government, there is no need for such an archaic law. England abolished teller votes in 1832. But, somehow we have persisted in retaining this practice. I challenge any Member of this body to give one good reason why the American people should be denied the right to know how their elected Representative voted. And I urge all Members to vote for the amendment that provides for teller votes to be recorded, an amendment I have cosponsored.

There are other ways that we may make this House more democratic, efficient, and open. We can hold open committee sessions, we can record rollcall votes in committee, we can require a guaranteed debate time on amendments, we can require a 3-day layover on conference reports, and we can shorten quorum calls. There exist amendments for each of these ideas; I urge passage of all of them.

But, none of the above amendments, crucial as they are, alter the procedure that places age before merit, the seniority system. It is this procedure that has aroused the greatest criticism across the Nation, yet this is the system we are most hesitant to alter. In fact, the word "seniority" is rarely mentioned in these hallowed halls, though admittedly, the House is run on such a system.

Let me say that I have nothing at all against old age. In fact, I have a great respect for the experience and wisdom that years of legislating in this House brings. But I object to the practice that says, *prima facie*, old age takes precedence.

The amendment I have introduced would take wisdom that age brings into account, without providing for automatic obeisance to those who have spent the most years in the House. It does this simply. It calls for the election of committee chairman, by the committee, at the beginning of each Congress. Who, better than the members of each committee, should know who has the greatest expertise on each committee? Who, better than the members of each committee, should know and respect the knowledge that years of experience on that committee bring? Who, better than the members of the committee, should know who has the greatest qualities of leadership and personality necessary to lead them? In the name of fair expertise, in the name of democracy, in the name of the greatness of this Nation, I ask the House to enact this amendment.

Mr. Chairman, the next few days are of vital importance to this body, this Government, and this Nation. We must reject the old and outdated ways of the past, and together, as one Nation, go forward.

SUBSTITUTE AMENDMENT OFFERED BY MR. O'HARA FOR THE AMENDMENT OFFERED BY MR. FASCELL

Mr. O'HARA. Mr. Chairman, I offer an amendment as a substitute for the amendment offered by the gentleman from Florida (Mr. FASCELL).

The Clerk read as follows:

Amendment offered by Mr. O'HARA as a substitute for the amendment offered by Mr. FASCELL: On page 8, line 17, strike out the period and insert: "and is authorized, with the approval of the committee, to sign vouchers and to perform such other ministerial acts as are necessary and appropriate."

Mr. O'HARA. Mr. Chairman, I tried to follow the explanation of the gentleman from Florida, and also the objections to his amendment that were offered on the floor.

It seems to me that the purpose of the gentleman from Florida is to provide a method by which the committee business could move ahead in the absence of the chairman; that is, that vouchers could be signed and that people could be retained to perform the staff work of the committee and that they could be paid, and that all the necessary housekeeping details could be taken care of.

The objections of those who objected to the amendment seemed to go not to that point but rather to the method by which he chose to select someone to perform these tasks in the absence of the chairman.

What my substitute tries to do, without getting into the question of how the temporary chairman is to be chosen, is simply to authorize a temporary chairman in the absence of the chairman, but only with the approval of the committee, to sign vouchers or take such other ministerial actions as may be necessary and appropriate. We thereby avoid the question of how to choose the man who is going to be authorized to do this and leave it as it is presently provided under the House rules.

I would hope, Mr. Chairman, that the substitute might take care of the problem. If it does not, I hope that the gentleman from Florida will say so. But, in any event, I share the concern that has been expressed here about having the full committee get into the business of electing a temporary chairman when they feel they ought to.

Mr. SISK. Mr. Chairman, I rise in opposition to the substitute offered by the gentleman from Michigan.

Mr. Chairman, I would like to have a brief colloquy with the gentleman from Michigan. I recognize the problem that he is trying to assist the gentleman from Florida with. I well understand it. However, I wanted to get clear that, as I understand it, the gentleman's amendment goes at the end of the language on line 17 of page 8, where he strikes the period and adds the provision—and unfortunately I do not have a copy of the gentleman's amendment—where it says that he would be authorized to perform certain official duties. Is that basically what the gentleman is attempting to do in connection with (d) of this section?

Mr. O'HARA. That is right.

Mr. SISK. I thank the gentleman very much for clarifying that.

I would say in opposition to the gentleman's amendment, of course, that a reading of (d) on page 8 shows as follows:

If the chairman of any standing committee is not present at any regular, additional, or special meeting of the committee, the ranking member of the majority party on the committee who is present shall preside at that meeting.

Then it goes on with a list of additional duties. Of course, basically this is dealing with the temporary absence of a chairman at the time that a meeting is taking place. It seems to me that we would be placing certain authority on the acting chairman which might be, on this one occasion, giving responsibility and authority far above and beyond what should be considered. It seems to me that could become a problem and could be used to effectuate even policy changes possibly in connection with the committee.

Though I sympathize with and appreciate the fact that the gentleman was attempting to resolve the difficulty which the gentleman from Florida is seeking to get at, and which many of us sympathize with, I also oppose the amendment offered by the gentleman from Florida because it creates a whole new method of selecting chairmen. Therefore I believe it goes far beyond what I think the House would be prepared to do today, or at least I hope so. It seems to me in this case it adds additional duties that should not be added in the case of merely a temporary chairman.

Mr. O'HARA. Will the gentleman yield?

Mr. SISK. Yes. I am glad to yield to the gentleman.

Mr. O'HARA. I wish to thank the gentleman for his remarks.

My substitute was prompted by the same feeling that the gentleman from California just expressed; namely, that the amendment offered by the gentleman from Florida goes beyond what may be required. I was simply trying to find a way of accomplishing this objective with less disturbance to the regular procedures.

Mr. SISK. I well understand my friend, and I do appreciate it. I might say that clause 3 of rule X adequately covers the matter of the acting chairman.

It seems to me, Mr. Chairman, this is an area in which the House would be well advised to go along with the existing language.

There is no question but what the language of the proposed amendment which has been offered by the gentleman from Florida would definitely change the method of selecting a chairman where a situation has developed and he is absent, contrary to the rules under which the House itself elects chairmen of committees.

Therefore, Mr. Chairman, I oppose the substitute as well as the amendment which has been offered by the gentleman from Florida and would urge that it be voted down.

#### PARLIAMENTARY INQUIRY

Mr. SNYDER. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. SNYDER. Mr. Chairman, is an amendment to the Fascell amendment in order while the substitute amendment is still pending?

The CHAIRMAN. The Chair would like to inform the gentleman from Kentucky that an amendment to the amendment would be in order.

AMENDMENT OFFERED BY MR. SNYDER TO THE AMENDMENT OFFERED BY MR. FASCELL

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

The Clerk read as follows:

Amendment offered by Mr. SNYDER to the amendment offered by Mr. FASCELL: and the following language to the Fascell amendment, after the period:—"Proxy voting shall not be permitted under this section and three (3) days notice of any proposal under this section shall be given in writing to all committee members."

#### POINT OF ORDER

Mr. SMITH of California. Mr. Chairman, I rise to make a point of order against this amendment on the same basis as before. We are not talking about proxies in this particular section. I do not think the amendment is germane to the amendment as offered by the gentleman from Florida.

The CHAIRMAN. Does the gentleman from Kentucky desire to be heard in behalf of his amendment?

Mr. SNYDER. Yes, Mr. Chairman, but only briefly, and that is to say while we are not talking about proxy voting in this section, we are talking about the method by which you might de-designate the chairman of the committee and in that regard and when you do that by a vote, then, I think it should be germane. We could say within that section that you shall not be able to do it by proxy voting and that you should give 3 days' notice to all of the committee members in writing as to what you propose to do.

The CHAIRMAN (Mr. NATCHER). The Chair is prepared to rule.

The Chair rules that the amendment is not germane to the pending amendment.

The question is on the substitute amendment offered by the gentleman from Michigan (Mr. O'HARA) for the amendment offered by the gentleman from Florida (Mr. FASCELL).

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. FASCELL).

The amendment was rejected.

The CHAIRMAN. Are there additional amendments to this section?

#### AMENDMENT OFFERED BY MR. REES

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

The Clerk read as follows:

Amendment offered by Mr. REES: On page 7 at the end of line 20 insert the following:

"(c) If at least three members of any standing committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting which request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the

chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date, hour, and measure or matter to be considered at that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date, hour, and measure or matter to be considered."

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

Mr. REES. I yield to my colleague from California.

Mr. SISK. Mr. Chairman, I appreciate the gentleman yielding, and I thought maybe with a couple of questions perhaps we might clarify this and save some time here.

As I understand the purpose of this particular amendment, it has to do with the situation in the event of a request for a meeting being called by three Members.

Mr. REES. That is correct.

Mr. SISK. That in addition to the written request that they specify the measure to be heard by this special meeting. Is that the only purpose?

Mr. REES. The measure or matter.

Mr. SISK. The measure or matter to be considered?

Mr. REES. Yes.

Mr. SISK. Is that the only purpose?

Mr. REES. That is correct.

Mr. SISK. Mr. Chairman, I have discussed this with my colleagues, and if we can firmly clarify here as a matter of legislative history what this seeks to do, then I really do not see a great deal wrong with that particular provision, providing that is all it does.

Mr. REES. That is all it does.

Under the rules of the House, as it now stands, if three Members give written request to the committee chairman for a special meeting, within 7 days, and if the committee chairman does not act on that request within 3 days, the majority of the committee by a written notice can call a special meeting of that committee.

Mr. SISK. That is correct.

Mr. REES. The rules of the House state they can merely call a meeting. What we are trying to clarify is that if they call a meeting that they then specify the matter or measure to be considered by that special meeting.

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

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

Mr. GERALD R. FORD. Mr. Chairman, I ask this question to also further clarify the legislative intent. If the request is made, and the subject matter is listed, and the meeting of the committee is held, is that meeting of that committee restricted to that subject matter, and nothing else?

Mr. REES. The assumption of this amendment is that that meeting will be restricted to the specific matter or bill referred to in the request to the chairman.

Mr. GERALD R. FORD. In other words, the committee in that meeting

could not go beyond that subject matter, or that bill?

Mr. REES. No; they would be restricted. In fact, I would be willing to put in more restrictive language to say the committee can only deal with those matters that are in the notice. Under the way that the rule is now is they might come up with any number of matters, and I believe it is better to restrict this and state that only those matters can be taken up in that special meeting.

Mr. GERALD R. FORD. I thank the gentleman.

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

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

Mr. JONAS. I understand that that is the interpretation of the amendment made by the gentleman from California, but the amendment does not make it clear.

Would it not be better to make it clear in the amendment that the committee would be restricted to the consideration of the matter listed?

Mr. REES. I would be very willing to add, for example, following the period in the last sentence, "and the only matters on measures to be considered in that meeting shall be the matters specified in the committee notice."

Mr. JONAS. I think that would be better.

Mr. REES. Mr. Chairman, I would ask unanimous consent that that language be added to the amendment.

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

Mr. GERALD R. FORD. Mr. Chairman, I do not object, but I believe it would be helpful if those words, or whatever the addition is, could be reread in context, if we could, without rereading the whole thing.

The CHAIRMAN. The Chair would like to inquire of the gentleman from California as to the exact words that make the modification in his particular amendment.

Will the gentleman from California please restate those words?

Mr. REES. Mr. Chairman, I will read the last sentence of the amendment as it is written and then add the new sentence which has been agreed to.

It would read as follows:

Immediately upon the filing of the notice, the Clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date, hour and measure or matter to be considered, and only the matter or measure specified in that notice may be considered at that special meeting.

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

Mr. REES. I yield to the gentleman.

Mr. SCHWENGEL. You speak here only of the committee. Does it apply only to the committee or does it apply to subcommittees as well?

Mr. REES. This applies only to the full committee. I would expect that problems of the subcommittee would probably be brought up at the full committee hearing.

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

Mr. REES. I yield to the gentleman from New York.

Mr. CELLER. In order to get a clarification of this matter, under the amendment three members of the committee may request a meeting of the committee; am I correct?

Mr. REES. Under the rules of the House, that is correct.

Mr. CELLER. And under your amendment likewise?

Mr. REES. Under my amendment likewise.

Mr. CELLER. Then it requires a majority of the members of the committee to designate some special matter that they want the committee to consider, and on that day that special matter must be considered.

Mr. REES. The original notice by three Members must state the matter or the bill that the meeting is requested for. If then the chairman refused to have that meeting, then the majority of the committee members sign a notice, which again specifies the matter or the bill to be heard before that special committee meeting, then that would be what is required.

Mr. CELLER. In other words, the thrust, however, lies in the requirement of a majority of the members?

Mr. REES. The present rules of the House, three members of the committee are required, and if not receiving favorable action from the chairman, then a majority of the committee could call a meeting.

The CHAIRMAN. Is there objection to the modification requested by the gentleman from California (Mr. REES) to the amendment?

Mr. O'HARA. Mr. Chairman, reserving the right to object, would the gentleman repeat the modification?

Mr. REES. The language is, "and only the matter or measure specified in that notice may be considered at that special meeting."

Mr. O'HARA. Mr. Chairman, I withdraw my reservation of objection.

The CHAIRMAN. The time of the gentleman from California (Mr. REES) has expired.

Mr. COLMER. Mr. Chairman, I ask unanimous consent that the gentleman from California may proceed for 2 additional minutes.

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

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

Mr. REES. I yield to the gentleman.

Mr. COLMER. I want to inquire for further clarification if it is not a fact that your amendment is now in the rules of the House, with the exception that the present rules do not specify the measure or matter to be considered—and that is the only amendment?

Mr. REES. The gentleman is correct.

Mr. COLMER. Personally, I see no objection to it.

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

Mr. REES. I yield to the gentleman.

Mr. VANIK. Mr. Chairman, the Congress of the United States, the world's greatest showcase of representative government, has developed into an institu-

tion at least 1½ generations behind the times it is intended to serve. The House of Representatives, as it now operates under the cloak of secrecy and the threadbare old principle of seniority, cannot deal effectively and responsibly with the problems of the 1970's, a conclusion shared by an increasingly large number of Americans.

Mr. Chairman, at a time when public confidence in the House as a responsive legislative body is so badly needed, we cannot afford to weaken that confidence by denying the public information to which it is entitled in a democratic society. Indeed, Mr. Chairman, all Members—regardless of party or ideology—have a common interest in assuring open and fair procedures.

H.R. 17654, the Legislative Reorganization Act of 1970, offers an opportunity to transform the archaic rules of the Congress into true democratic procedures as envisioned by the Founding Fathers.

A new Member gets elected to this Congress with high hopes, with great expectations, with idealism, with dedication, and high purpose. Very suddenly after his arrival, he is appalled for he receives the prerequisites of his office and gradually begins to learn that he is not an equal Member of Congress. He is subordinate, he is less than others, he is inferior.

Mr. Chairman, one of the amendments of the Legislative Reorganization Act that I strongly support is one that Congressman Reuss and I intend to offer which would put the House on record in favor of a change in the seniority system—a system which prevents every Member of Congress from receiving and participating in the full measure of his rightful share of responsibility and authority. The Constitution and the laws of the land contemplate each Congress as a new and separate entity. Legislation does not carry over from one Congress to the next—neither should one Congress commit another on the seniority system or outdated rulemaking authority. Under the Constitution and laws of the land, the most junior Congressman is presumed to be equal to the most senior. The rights of seniority are arbitrary and are usurped at the expense of other Members. It is a custom which dates from 1910. It is only 60 years old—and the time has come to change the principle. It is not a sacred custom. It is not part of the Constitution or Bill of Rights. We have the authority, the ability—and the duty to change this system. Mr. Chairman, whichever party controls Congress owes it to the Nation to present committee chairmen who effectively represent the views of that majority party, and of whom that party can be proud. Length of service on the committee is surely an important consideration, but it should no longer be the sole consideration.

Accordingly, the gentleman from Wisconsin (Mr. Reuss), and I will offer the following amendment to the present rule X of the House of Representatives:

At the commencement of each Congress, the House shall elect as chairman of each standing committee one of the Members

thereof, who need not be the Member with the longest consecutive service on the Committee; . . ." (Rule X, Section 3, Rules of the House of Representatives)

Mr. Chairman, some of our great congressional leaders have been developed through service and seniority but we can never calculate how many men of outstanding caliber we have lost or suppressed through this system which promotes ability to be elected rather than ability to lead.

Not only has the seniority system served to suppress effective, vigorous, and dynamic leadership, but it has given tremendous power to a few chairmen—elected from small regional districts—who totally control vital national legislation.

The problem of independent committee chairmen, accountable to no one, was well described by professor—later President—Woodrow Wilson over 80 years ago. What Wilson said then is still true today:

The Chairmen of the standing committees do not constitute a cooperative body like a ministry. They do not consult and concur in the adoption of homogeneous and mutually helpful measures; there is no thought of acting in concert. Each Committee goes its own way at its own pace. It is impossible to discover any unity or method in the disconnected and therefore unsystematic, confused and desultory action of the House, or any common purpose in the measures which its committees from time to time recommend.

Still another item of extreme importance is that of committee chairmanships. The President serves for a term of 4 years, a Senator serves for a term of 6 years, a Representative serves for a term of 2 years, but a committee chairman who answers to no one can have a never-ending term. The average chairman holds power for at least a full decade and often longer. Many Members of the House of Representatives who serve for only a short time are brief in service not because they are not qualified, enterprising, or lack good judgment. It may be that they lacked only the ability to compromise for survival. A new Member sees the awesome power of committee chairmen who decide what bills shall be considered and when they shall be considered, and how they will be considered. He is in the constant shadow of seniority which demeans his capacity and his responsibility to serve.

The Nation cannot afford to allow the power of Congress to drift and accrue in the hands of a few—the decisionmaking and leadership process belongs to all the elected representatives.

This is the first time in 24 years that the House has had such an opportunity to make major changes in House rules and procedures.

Many other changes, in addition to the abolition of seniority, are vital to the democratic functions of Congress.

For example, the problem of secrecy in congressional proceedings is a major abuse in this Congress. Secrecy unrelated to the national security threatens democracy and the workings of free institutions. Unfortunately the House has come to be characterized by closed committee meetings, off-the-record voting,

and other procedures that ignore the principle of representative government.

Perhaps the greatest fault in our legislative process is that the public often cannot find out how their Congressman voted in committee and on the floor of the House. Votes in Committee of the Whole are taken by voice votes, division, or teller votes—all of which are non-record votes. No record is made of how individual Members vote—or even whether they are present to vote. Although teller votes are taken in public, it is virtually impossible, even for observers who recognize every Member, to make an accurate list of names. Members being counted have their backs to the press gallery, and persons in the public galleries are not permitted to take notes. And to make matters worse, amendments defeated in the Committee of the Whole may not be brought before the House for a record vote. Since most amendments offered are defeated in the Committee of the Whole, Members rarely can make their positions on key issues public. This year votes on vital issues like the ABM, the SST, water pollution, the nuclear carrier, or American troops in Cambodia have been conducted under the non-record, teller vote system.

Only 124 Members, little more than one-fourth of the membership, were on the floor to vote for or against \$360 million funds for expanded deployment of the Safeguard antiballistic missile. The House has never had a record vote on the ABM or on money for the supersonic transport plane.

Mr. Chairman, I strongly urge the adoption of the amendment to H.R. 17654 that would permit recording teller votes on major amendments, while retaining the present nonrecord teller system for less important amendments. Record tellers would take less than 15 minutes, with two teller lines operating simultaneously, and would finally take voting procedures out of unjustified obscurity and into public view.

Mr. Chairman, the Committee of the Whole is not the only area where secrecy is eroding the democratic process. Nearly half of the hearings of House committees are closed to the public and the press. The legislative reorganization bill contains provisions stating that committee hearings and business meetings "shall be open to the public except when the committee, by majority vote, determines otherwise." This language would still permit committees to close any hearings or meetings by majority vote without explanation. Mr. Chairman, I believe all committee meetings and hearings must be open to the public unless they concern cases clearly involving national security.

Over the past decade, Congress has appropriated an average of more than \$130 billion a year to run the Federal Government under an appropriation process dominated by secrecy. Each subcommittee of the Appropriations Committee holds hearings on budgetary matters within its jurisdiction—about 300 meetings each year. All of these hearings are held behind closed doors. The Committee on Agriculture held closed sessions in 35 percent of their meetings

in 1969 and the Committee on Public Works debated in private meetings 35 percent of the time, in 1969. The Rules Committee, which is of great concern to anyone following a particular bill, increased its number of executive sessions in the past 4 years from only 3 percent in 1966 to 36 percent in 1969. It is argued that privacy is needed for the free give-and-take that produces compromise and agreement. Yet the House Education and Labor Committee which deals with some of the most controversial legislation in the House, conducts all its work in open session without inhibition. Mr. Chairman, all secret committee sessions should be abolished except when national security is clearly involved. The secrecy which follows legislation from initial committee deliberations even through the closed House-Senate conferences, is unconscionable in a representative democracy.

Mr. Chairman, not only are hearings closed but voting in committee takes place under the same obscure conditions. Each Member's vote on key provisions of legislation is withheld from their constituents. A Member's constituents have a right to know how he votes in committee as well as on the floor. Complete disclosure of committee votes is now Senate practice and is long overdue in the House of Representatives. I strongly support the amendment which would require that a record of all rollcall votes in committees be available to the public.

I hope that we take full advantage of this opportunity to truly reform the House of Representatives through this important bill. So far I have only mentioned a few of the reforms that are so drastically needed in order to make our branch of Government more effective and representative. Other reforms necessary range from the unavailability of committee reports to a change in the fiscal year to coincide with the calendar year.

As soon as the full House Appropriations Committee approves an appropriations bill, it is scheduled for floor action—even though the committee report may not yet be available. Over the past 5 years the House has considered a total of 63 annual appropriations bills. More than two-thirds of these bills were reported on either Thursday or Friday and considered on the following Monday, Tuesday, or Wednesday. During the period from 1965-69, there was an average of only 2½ legislative days between the day an appropriation bill was reported and the day it was considered by the full House. The Legislative Reorganization Act requires that hearings and committee reports on general appropriation bills be available at least 3 days, excluding weekends and holidays, prior to floor action. Under the present system there seldom is enough time to examine a report involving the expenditure of billions of dollars and hearings containing thousands of pages of testimony. Thus, I urge the adoption of an amendment which would require that committee reports on any appropriation bill be delivered to each Member's office at least 7 days before House action.

Reports on appropriation bills are not the only ones that are not made available

sufficiently in advance of floor consideration. Other committee reports are often unavailable until the very day the measure is scheduled for consideration. The legislative reorganization bill would require that committee reports be made available at the House document room or committee, at least 3 days, excluding weekends and holidays, before floor consideration. However, the bill exempts reports from the Committees on Rules, House Administration, and Standards of Official Conduct from this provision.

I, therefore, support an amendment requiring that the committee report on any nonappropriations measure be delivered to each Member's office at least 3 days, excluding weekends and holidays, before floor action.

Mr. Chairman, the pattern of secrecy does not end in the early stages of the legislative process. All House-Senate conference meetings—where differences in language and dollar appropriations are ironed out between the two Chambers—are held in executive session and record votes are unavailable. In addition, conference reports now may be called up in each Chamber without notice providing they have been printed in the RECORD. Mr. Chairman, a report filed for the RECORD at 6 p.m. this evening may be voted on when the House convenes again tomorrow. Under such procedures how can any Member, under tremendous pressure with his own committee duties and the special needs of his own half-million constituents, vote with any real confidence or assurance? It, therefore, is essential that an amendment be added to H.R. 17654 which requires that House-Senate conference reports be available to Members at least 3 days before House action and that advance notice be given when such reports are to be called up.

Mr. Chairman, there are still many other needed reforms that I sincerely hope will be incorporated into this bill. I strongly support an amendment changing the fiscal year to coincide with the calendar year. Presently, appropriations bills often have not cleared Congress by the start of the fiscal year. During the last 6 years only six appropriation bills have passed Congress by July 1, out of a total of 73 regular appropriation bills for those years. The late enactment of appropriations is greatly disruptive of programing and management processes, and often results in hasty and imprudent expenditures of Federal funds in a short period before the end of the fiscal year. Therefore, changing the fiscal year to coincide with the calendar year could give Congress sufficient time for passing appropriations bills before the start of the new fiscal year.

Mr. Chairman, I also urge adoption of an amendment which would guarantee time for two speakers on each side on any amendment that has been printed in the RECORD in advance of floor consideration of the actual bill. A Member should be allowed adequate time to present his case. In recent years, under the present rules of the House, important amendments to the defense appropriations bill have been allowed as little as 45 seconds debate.

H.R. 17654, the Legislative Reorganization Act of 1970, is a step in the proper direction. It increases the availability of information on the Federal budget, expands the Legislative Reference Service, establishes a Joint Committee on Data Processing, and establishes a long overdue Free Capitol Guide Service—a service that all citizens will have the opportunity of using without paying any charge. The bill does, indeed, also make modest changes in House procedures but those changes are both insufficient and few. Only if the amendments that I so strongly support, are adopted, will we be able to restore public confidence in the House as an effective and responsive legislative body. The Congress must keep pace with the times it is intended to serve. Congress must establish modern procedures geared to solve the awesome problems of the decades ahead if Government by elected representatives is to survive.

The patience of the American people has been sorely tried. They have come to feel that the processes of Government must be made efficient and responsive. Secrecy, delay, and excuses will not substitute for sound legislative action. Legislative action delayed is social justice denied.

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

Mr. REES. I yield to the gentleman.

Mr. SISK. Mr. Chairman, we see no objection to the amendment, and so far as this Member is concerned, we accept the amendment.

I would still like to clarify one thing further. As I attempt to read this, it seems to this Member that in including the new matter here, there should be a striking of the present section (c) and the insertion of this section (c). Does the heading of the amendment so state, and was that the way it was offered?

Mr. REES. The form of the amendment is that of a Ramseyer amendment. All the amendment would do would be to add new language to the present section (c) in the bill.

#### PARLIAMENTARY INQUIRY

Mr. SISK. Mr. Chairman, will the gentleman yield for a parliamentary inquiry?

Mr. REES. I yield for a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. SISK. Mr. Chairman, for the purpose of getting the record straight, is it understood that the language submitted by the gentleman from California takes the place of the existing language in section (c), or is it an addition thereto or is it inserted as a separate part within the section?

The CHAIRMAN. The Chair would like to inform the gentleman that it is unclear to the Chair as to whether the proposed language would be additional language or language to supplant (c). Will the gentleman from California clarify that point?

Mr. REES. Mr. Chairman, I think the easiest way to clarify it is merely to offer the amendment as a substitute to section (c) of the bill.

The CHAIRMAN. Without objection, the Clerk will report the amendment striking out that portion of section (c) on page 7.

There was no objection.

The CHAIRMAN. The Clerk will report the amendment.

The Clerk read as follows:

Amendment offered by Mr. REES: On page 7, strike out line 21 and all that follows down through page 8, line 13, and insert the following:

"(c) If at least three members of any standing committee desire that a special meeting of the committee be called by the chairman, those members may file in the offices of the committee their written request to the chairman for that special meeting which request shall specify the measure or matter to be considered. Immediately upon the filing of the request, the clerk of the committee shall notify the chairman of the filing of the request. If, within three calendar days after the filing of the request, the chairman does not call the requested special meeting, to be held within seven calendar days after the filing of the request, a majority of the members of the committee may file in the offices of the committee their written notice that a special meeting of the committee will be held, specifying the date, hour, and measure or matter to be considered at that special meeting. The committee shall meet on that date and hour. Immediately upon the filing of the notice, the clerk of the committee shall notify all members of the committee that such special meeting will be held and inform them of its date, hour, and measure or matter to be considered and only the matter specified in that notice may be considered at the special meeting.

Mr. SMITH of California. Mr. Chairman, I move to strike the last word.

The CHAIRMAN. The gentleman from California is recognized.

Mr. SMITH of California. Mr. Chairman, I see no objection to the amendment. I am willing to accept it.

The CHAIRMAN. The question is on the amendment offered by the gentleman from California, Mr. REES.

The amendment was agreed to.

The CHAIRMAN. Are there additional amendments to be offered under this section? If not, the Clerk will read.

The Clerk read as follows:

#### OPEN COMMITTEE BUSINESS MEETINGS

SEC. 103. (a) Section 133(b) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190a(b)) is amended by inserting immediately after "(b)" the following: "Meetings for the transaction of business of each standing committee of the Senate (except the Committee on Appropriations), other than for the conduct of hearings, shall be open to the public except during executive sessions for marking up bills or for voting or when the committee by majority vote orders an executive session."

(b) Clause 26 of Rule XI of the Rules of the House of Representatives, as amended by section 102(b) of this Act, is further amended by adding at the end thereof the following new paragraph:

"(f) Meetings for the transaction of business of each standing committee shall be open to the public except when the committee, by majority vote, determines otherwise. This paragraph does not apply to open committee hearings which are provided for by paragraphs (f) (2) and (g) (3) of clause 27 of this Rule."

#### AMENDMENTS OFFERED BY MR. HATHAWAY

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

The Clerk read as follows:

Amendment offered by Mr. HATHAWAY: On page 9, strike out lines 9 to 11, inclusive, and insert in lieu thereof the following:

"(1) 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.

Mr. HATHAWAY. Mr. Chairman, I have an amendment to section 112 also at the desk which pertains to the same subject matter that is the open committee hearings. It is almost identical in language with the pending amendment. I ask unanimous consent that the two amendments be considered en bloc.

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

Mr. SISK. Mr. Chairman, reserving the right to object, do I understand that the gentleman is seeking to offer an amendment on page 26 which would require the same revision so far as determination of open hearings as he has in connection with the transaction of business meetings?

Mr. HATHAWAY. That is correct.

Mr. SISK. That is what the gentleman seeks to do, and he seeks to have these two considered en bloc?

Mr. HATHAWAY. Yes.

Mr. SISK. Mr. Chairman, I withdraw my reservation of objection.

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

There was no objection.

The CHAIRMAN. The Clerk will report the other amendment.

The Clerk read as follows:

Amendment offered by Mr. HATHAWAY: 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.

Mr. HATHAWAY. Mr. Chairman, let me say at the outset I am not the only sponsor of this amendment. I am joined by 42 other Members of the House on both sides of the aisle, as follows:

MESSRS. HANSEN of Idaho, ANDERSON of California, BROTZMAN, CLAY, CLEVELAND, CONYERS, COUGHLIN, CULVER, DADDARIO, DANIELS of New Jersey, DELLEMBACK, ECKHARDT, EILBERG, ERLBORN, FASCELL, WILLIAM D. FORD, FRASER, HARRINGTON, LONG of Maryland, KASTENMEIER, KOCH, LOWENSTEIN, MATSUNAGA, MEEDS, OBEY, O'HARA, O'NEILL, OTTINGER, PATTEN, REID of New York, RIEGLE, ROTH, RYAN, SCHEUER, SCHWENGLER, STEIGER of Wisconsin, STOKES, TIERNAN, THOMPSON of New Jersey, VAN DEERLIN, WALDIE, WOLFF, ROONEY of Pennsylvania, REUSS, HELSTOSKI, and MOSS.

Let me say also at the outset I would like to compliment the Rules Committee for bringing forth a bill which I con-

sider for the most part to be an excellent one.

The purpose of this particular amendment is to open committee meetings to the public unless the committee by roll-call vote in open session with a quorum present decides otherwise. The amendment would also prohibit committees from voting to close more than one meeting day at a time.

Woodrow Wilson once wrote that Congress in its committee rooms is really the Congress at work. The committee system is still the crux of the legislative process and is still the basis for congressional action. Laws are not really made here on the floor of the House or on the floor of the other body. They are only revised here. Ninety percent of all legislation that has been passed was passed in the form reported by the committee to the floor. Yet it is estimated that in recent years 30 to 40 percent of all congressional committee meetings have been closed.

This means most legislative battles have been fought and have been resolved in secret, away from public scrutiny. This seems incompatible with our democratic philosophy and democratic system, for openness is really the essence of democracy. A representative type of government which legislates in secret is not a truly representative type of government, because we as representatives holding public trust are responsible to the public. If we allow the public to sit here in the gallery and watch us legislate today and on other days, the public should also have the privilege of seeing us legislate in our committee sessions. So the principle flaw of the bill before us today is that it still allows committees to take one vote that could close the committee sessions for an entire Congress.

Really all that both amendments before us now do is to shift the burden to those who want a closed session, requiring them to get a majority of the committee vote with a quorum present in order to close the meeting.

We are thereby emphasizing openness and the democratic process in the transaction of the most important of the public business, the making of law.

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

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

Mr. ARENDS. If I interpret correctly the amendment which the gentleman proposes, it would mean that on each and every day the determination would have to be made as to whether it was an open or a closed hearing, and only when a majority of the committee was present. The gentleman knows that all committees have a difficult time, time and time again, getting a quorum present at 10 o'clock, or whatever the time for the committee meeting may be. It sometimes runs to 11 o'clock. I can see some difficulty arising in respect to this proposal, unless we can do it the day before or some other time, because we would have to sit there until 11 o'clock to make a determination of whether the committee had a closed hearing or not.

Mr. HATHAWAY. Let me say to the distinguished gentleman, it would mean

only that the meeting would be presumed to be open, unless the committee each day voted for it to be closed. If the committee met every day at 10 o'clock it could go ahead with the hearing, but it would be open. If some member wanted to close the hearing he would have to get a majority to close the hearing.

Mr. ARENDS. This is why I make the point. The Committee on Armed Services, having the Secretary before it for a witness, it is vital so many times to have a closed hearing. I wonder if we would have to sit there waiting until we got a quorum present. We could not proceed, because we would have to have a closed hearing. I see some difficulty arising. Perhaps the determination should be made the day before.

Mr. HATHAWAY. I can see some difficulty, but I believe it is worth the difficulty to allow public scrutiny of the legislative process.

The same difficulty would be experienced by those who wanted to have an open meeting, if the committee at the beginning of a Congress, for example, voted to have all closed sessions. Then the difficulty expressed by the gentleman from Illinois, would be placed upon the shoulders of those who wanted to have open meetings. I do not believe they should have the burden of having to get a quorum to have an open meeting.

Mr. ARENDS. I am willing to abide by the decision of the majority.

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

Mr. HATHAWAY. I yield to the gentleman from Kansas.

Mr. MIZE. Does the gentleman's amendment apply to full committee meetings, or to subcommittee meetings, or both?

Mr. HATHAWAY. Yes; to both.

Mr. MIZE. Suppose a subcommittee decided it wanted to have a closed meeting. Would they have to go back to the full committee to get permission?

Mr. HATHAWAY. This amendment would apply to the subcommittee. A majority of the subcommittee could close the meeting if they desired to.

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

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

Mr. ADAMS. I wanted to inquire if the amendment would establish the practice that, for example, as I read the rules, the Appropriations Committee hearings should be open? In other words, they should be open meetings but they are often closed. They would have to specifically close the ones they wanted to close? Is that what the amendment would do to this? As I read the rules, the present rule provides for open meetings.

Mr. HATHAWAY. Yes; but under the present rule a committee could vote at the beginning of a Congress to have all closed meetings for the ensuing 2 years, whereas under the amendment they would have to vote every day to have that day closed.

Mr. ADAMS. That is what I wanted to know. That is the difference. I thank the gentleman.

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

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

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

Mr. HATHAWAY. I yield to the distinguished gentleman from New York.

Mr. CELLER. Does the amendment provide for "hearings" or for "meetings?" How does it read?

Mr. HATHAWAY. Under the unanimous consent request, I will say to the gentleman, it applies to both. There are two amendments pending. One applies to meetings, page 9 of the bill, and the other amendment applies to hearings, which is on page 26 of the bill.

Mr. CELLER. In clarification, I should like to get an answer to the following: A committee, for example, is in the process of marking up a bill. That meeting could not be closed unless there was a majority or a quorum present?

Mr. HATHAWAY. That is correct. And a majority would have to vote to close the meeting.

Mr. RIVERS. Will the gentleman yield?

Mr. HATHAWAY. I yield to the gentleman from South Carolina.

Mr. RIVERS. Mr. Chairman, is the gentleman familiar with the military posture hearings of the Committee on Armed Services?

Mr. HATHAWAY. I am somewhat familiar with the nature of them.

Mr. RIVERS. Does the gentleman know that we have the whole heart of the military laid out before our committee and the posture of the military in executive session and the war plans and what the Department of Defense conjectures will be the situation in 5 or 10 years or in decades from now? As a consequence of that we have days on end of closed hearings, and one is subsequent to the other. Does the amendment offered by the gentleman from Maine say that each day our committee would have to get together to decide whether or not on that day we would have closed hearings?

Mr. HATHAWAY. Yes. That is correct. I would say to the gentleman if these hearings are that important, he would not have any difficulty in getting a quorum present to have his vote on each day.

Mr. RIVERS. Of course, you would not have any difficulty, but what if you have contention within a committee, where a certain group would not be there for a quorum. A lot of committees cannot start out without a quorum.

Mr. HATHAWAY. The gentleman is stating a problem that is common to all committee meetings. I do not know of any way that we have effectively to force people to go to meetings that they do not want to go to.

Mr. RIVERS. Somebody could move then that the committee should adjourn and the whole business of the day would be out the window. We have hearings for days on end without a quorum.

Mr. HATHAWAY. That is true. But I think most members are conscientious enough to attend meetings and conscientious enough to vote on whether they should be closed or open.

Mr. RIVERS. You cannot conjecture

on that. They may be sick or there may be many reasons why they do not come. If you have no quorum, under those conditions you just go home. This could throw a monkey wrench into the entire hearing situation of our committee, and I want to say that we have more hearings than any committee other than the Committee on Appropriations.

Mr. HATHAWAY. Of course, I have not been here as long as the gentleman from South Carolina has, but I have never heard of a committee not being able to get a quorum because of illness and especially on matters which are as important as those which the gentleman has just recited.

Mr. RIVERS. Of course, I have been here for 30 years, and I am sure you know more about it than I do.

Mr. HATHAWAY. No; I said I did not.

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

Mr. HATHAWAY. I yield to the gentleman from California.

Mr. WALDIE. I think the gentleman's amendment is a good one. I think it is most interesting with regard to the problems and difficulties that will be caused the Members—not the public—which I believe will be considerable, but I do think they can be resolved. It will be up to the Members of the House of Representatives to adjust to a course of action they have not been used to, namely, revealing the public's business to the public as it is being conducted. It seems to me that is a problem we ought to address ourselves to and which I think your amendment does.

Mr. HATHAWAY. I thank the gentleman for making an excellent point.

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

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

Mr. FRASER. Is it not a fact that under the rules a quorum for the purpose of holding hearings need be only two members? If the committee decides to accept that minimum figure prescribed in the rules, that is all they need. It can set a higher requirement for a quorum, but under the rules they can say that only two members are needed to make a quorum. In fact, these fears are unfounded; are they not?

Mr. HATHAWAY. It is my intention in offering this amendment that a quorum for this purpose would be a majority of the committee or the subcommittee. I do not intend that two members, which is the number required for taking testimony, could vote to close the hearing.

Mr. FRASER. My understanding is it would require a quorum to be present, and I assume you would prefer that a quorum be present, and it is required under the rules for the purposes of meetings.

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

(By unanimous consent, at the request of Mr. ARENDS, Mr. HATHAWAY was allowed to proceed for 1 additional minute.)

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

Mr. HATHAWAY. I yield to the gentleman.

Mr. ARENDS. I wish to ask a question of the gentleman. In the Committee on Armed Services we have a subcommittee on the Central Intelligence Agency. What situation do we face there? Are we going to be precluded from hearing anything from the CIA in order better to perform our duties in the full committee?

Mr. HATHAWAY. If a majority of the subcommittee votes to have a closed session of that committee, then there is no problem.

Mr. ARENDS. Provided, you do not have a majority of the members there, which happens on a small committee or subcommittee. Are we going to be precluded?

Mr. HATHAWAY. You would be precluded under this amendment if you cannot get a majority there. But I think this amendment means that the committees will have to be better disciplined. We are not protecting the interest of the Members by this amendment but the interest of the general public which we are representing. For that reason, I think the amendment should carry.

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

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

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

Mr. Chairman, this again I think illustrates what the distinguished gentleman from Missouri (Mr. BOLLING) so eloquently spoke about a little bit earlier today. I recognize that this subcommittee does not have all of the wisdom and, certainly, the Rules Committee does not have. We think, however, that we are a fair committee although we do not have all of the expertise in dealing with all facets of the legislative process. However, this is a change that was discussed and on which hearings were held and a great deal of time and effort was given to this whole subject of committee meetings, committee hearings, and business meetings, with the idea of giving the public every possible right to know what goes on.

We all recognize that these committees operate for the benefit of the American public and not just for those of us who are Members of Congress. They are creatures of the House for the purpose of dealing with the public's business.

Mr. Chairman, this proposal by the distinguished gentleman from Maine (Mr. HATHAWAY)—and I respect the gentleman for his ideas—would tend to make it impossible in my opinion to conduct the normal business of many of the committees in an orderly fashion.

There is no question but what it would substantially delay the business of the House, and the business of the House is the business of the people as the gentleman from Maine said earlier.

So, I believe that to go to the lengths which the gentleman seeks is going to delay the conduct of the public's business.

Now, we felt it was necessary to make positive the business of the House in connection with open meetings. Frankly, the new language which is contained in the committee bill with reference to business meetings and hearings provides that the decision whether meetings and hearings

shall be open or closed will be determined by majority vote of the committee. In other words, it is going to be essential for some committees to take action from time to time to set up a rule of procedure which might mean that it would close some meetings for a period of time.

I do not wish to try to cover up anything that the committee had in mind when we discussed this subject as I said over a period of time of many weeks. However, committees are urged to adopt rules, and many committees do adopt rules at the beginning of the Congress and they abide by those rules, and if a committee should desire to make a determination that certain meetings dealing with certain categories be closed, then we feel it is only orderly that such a thing be made possible and that is exactly what this language provides. To do otherwise is, as I stated earlier, certainly going to delay the business of the House.

It would seem to me to be a matter that we should consider long and hard before we force this procedure upon every committee. It may be possible that there would be those who would seek to be dilatory, who would seek to stall—and we hope there would be few, if any, who would do so, but it gives them opportunity to stall the business of the Congress, and simply impede progress.

Mr. ADAMS. Mr. Chairman, if the gentleman will yield, as I understand they could not be dilatory except in trying to establish secrecy. In other words, any committee could meet at any time without this majority vote, as long as they met in open fashion. But as I read the present rules of the House, this amendment is not changing anything in its original form because what happens now is the rules require that the meetings be open, but certain committees adopt a rule at the beginning of the year that all meetings shall be closed, and, therefore, they in fact do away with the rules of the House by a vote of the committee.

I think at some place in time—

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

(On request of Mr. ADAMS, and by unanimous consent, Mr. SISK was allowed to proceed for 1 additional minute.)

Mr. ADAMS. If the gentleman will yield further, am I incorrect as to what we are trying to do, as I understand the amendment offered by the gentleman from Maine (Mr. HATHAWAY) is simply trying to make the committees follow the rules of the House. Is not what is in the bill now nothing more than the rules of the House?

Mr. SISK. It is assumed, of course, that they will follow the rules of the House, and will proceed along that line. Certainly, no vote taken by a majority of those present and voting in the committee could not be undone at a later time by a majority vote of the committee. You might adopt a motion to close the meeting at a certain time, and this could be undone at a later time, or to deal specifically with the markup of a bill, but the amendment offered by the gentleman from Maine would make this impossible.

Mr. ADAMS. Would not the gentleman agree to an amendment that would permit closed sessions for a week or 10 days,

so that a committee would not close their proceedings for a whole year at a time?

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

Mr. O'NEILL of Massachusetts. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I will take just a brief moment to say that I am in agreement with the amendment offered by the gentleman from Maine. For 18 years I have been a Member of the Congress of the United States, and only the other day out of curiosity I wanted to go into the hearings of the Committee on Appropriations. I have not the right to go in and hear testimony of a witness unless I am invited in there, I either have to be a witness or one of the members of the committee.

A Member of the Congress here does not have the right to go into the Committee on Appropriations and listen to testimony. Did you ever hear anything so ridiculous in your life? Of course we need legislation like this, and I am for the amendment offered by the gentleman from Maine (Mr. HATHAWAY).

AMENDMENT OFFERED BY MR. BINGHAM TO THE AMENDMENTS OFFERED BY MR. HATHAWAY

Mr. BINGHAM. Mr. Chairman, I offer an amendment to the amendments offered by the gentleman from Maine.

The Clerk read as follows:

Amendment offered by Mr. BINGHAM to the amendments offered by Mr. HATHAWAY: In each amendment, delete the words "and with a quorum present" and the words "by rollcall vote".

Mr. BINGHAM. Mr. Chairman, this amendment to the amendment offered by the gentleman from Maine (Mr. HATHAWAY) is offered in the thought that it will permit the carrying out of the purpose of the amendment offered by the gentleman from Maine, and at the same time obviate some of the difficulties that have been raised about the procedure.

What I have proposed is that there be eliminated from the amendments offered by the gentleman from Maine (Mr. HATHAWAY) the words "and with a quorum present", and the words "by rollcall vote".

Obviously, the committee cannot do business, or cannot make a decision, unless a quorum is present, if an objection is made.

Obviously also, if someone calls for a rollcall vote on a decision to be made by the committee, that can be had.

So by eliminating these words, the effect would be that any member of that committee or of the subcommittee could raise at the opening of the meeting the question as to whether the meeting should be closed or not. The normal procedure would presumably be that the chairman would open the meeting and would say that, unless there was objection, the meeting will proceed in closed session. Then any member of the committee or of the subcommittee would be free to make the objection that that decision had not been made by vote and the vote would be taken. If he chose to raise the point, the vote could then be taken by a rollcall vote.

Therefore, I think the protections

would all be there without the necessity of the committee going through the form each time of having a rollcall vote with a majority present.

I would hope that the gentleman from Maine would have no objection to these eliminations from his excellent amendment which I think have a very important purpose and a real function as the gentleman from Massachusetts pointed out.

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

Mr. BINGHAM. I yield to the gentleman.

Mr. STEIGER of Wisconsin. It was my understanding as the amendment to the amendments was read that the deletion of the language to which the amendment referred was proposed in both parts of the amendment offered by the gentleman from Maine (Mr. HATHAWAY); am I correct?

Mr. BINGHAM. That is correct.

Mr. STEIGER of Wisconsin. May I ask the gentleman from New York as to whether or not that really is what he intends to do?

The gentleman from South Carolina and the gentleman from Illinois have made the point of those cases in which the Committee on Armed Services, in this instance, are holding hearings—not business meetings and not committee markup sessions—but hearings whether they be of the committee or of a subcommittee and is the gentleman from New York really trying to make it possible, as I understood he was, that committee hearings could be conducted and could be closed on something less than a quorum or a majority of the committee? Does he want that same issue to lie at the question of the transaction of business at page 9?

Mr. BINGHAM. I would agree with the gentleman that the issues presented by the two amendments are really quite different. But in both cases, I think the protection that any member of the committee or subcommittee can raise the point as to whether a meeting should be closed or open is adequate if he can make the point at the opening of the session. So my amendment was deliberately offered to both parts of the Hathaway amendment.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield?

Mr. BINGHAM. I yield to the gentleman.

Mr. EVANS of Colorado. Would the gentleman be kind enough to read the amendment, as amended by his amendment?

Mr. BINGHAM. If my amendment is accepted, the Hathaway amendment to page 9 which deals with meetings would read:

(f) Each meeting for the transaction of business of each standing committee shall be open to the public unless the committee, in open session determines that all or part of the remainder of that meeting on that day shall be closed to the public.

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

Mr. BINGHAM. I yield to the gentleman.

Mr. HAYS. The gentleman's amend-

ment really gives a minority of one person the right to make a decision about whether or not a quorum is present, which he has at the present time; is that correct?

Mr. BINGHAM. Yes; he has that at the present time.

Mr. HAYS. If a quorum is not present and the vote goes against the person who raises it, the minority person, he can then make a point of order that a quorum is not present; is that correct?

Mr. BINGHAM. That is correct.

The purpose of the gentleman from Maine is to see that the committee at each session decides that the session is going to be closed and that is the purpose of his amendment, as I understand it.

I do not think this would change or eliminate the protections that the gentleman from Maine had in mind. But it would avoid some of the routine that might have to take place if there was no need for it.

Mr. HAYS. I think the gentleman's amendment, leaving aside the merits of the amendment of the gentleman from Maine, is an improvement to the proposal of the gentleman from Maine because it takes some of the cumbersome-ness out of it and it still protects the right of the minority right down to a minority of one.

Mr. BINGHAM. I thank the gentleman.

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

(Mr. BINGHAM asked and was given permission to proceed for 5 additional minutes).

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

Mr. BINGHAM. I yield to the gentleman.

Mr. HATHAWAY. Under the gentleman's amendment, would it not be possible for only two members to show up at a hearing, both in favor of a closed hearing and neither one is going to raise a point of order of a quorum not being present and they will have a closed hearing. That is the difficulty I want to avoid, by requiring, regardless of whether anyone raises the point or not, that a quorum had to be present in order to have a secret meeting.

Mr. BINGHAM. I really do not see that would be a problem because, after all, under my proposal if any member of the committee wants to see that a particular meeting stays open and wants to raise the question, he can be there at the opening of the session.

As the gentleman from Iowa pointed out, he can make the objection that a quorum is not present and can ask for a vote on the motion to close the meeting and can insist that a quorum be present for that vote. I think anyone who wants the meeting to be open can be fully protected by that language.

Mr. HATHAWAY. If the gentleman will yield further, as a practical matter, as I understand the gentleman's amendment, you would really put the burden on those who would want to have open meetings, and the burden really should be on those who want to have the meetings closed. They should have the bur-

den of getting the quorum there and getting the majority vote to close it. We are really operating in the public interest, and it should be the exception to have a closed meeting.

Mr. BINGHAM. I think that is true with respect to most meetings, but there are a series of meetings, as pointed out today, which are closed, and if any member of the committee wants to raise an objection to that procedure, he can raise the point. I do not think it is asking too much for any member of a committee who wants to have the meeting open to be there at the opening of the session and raise the question. Otherwise they would proceed routinely. I think the gentleman's amendment in its present form really does not solve the practical problems that would be presented in, for example, the Armed Services Committee, when it is considering classified presentations.

To require a quorum to be present on all such occasions, regardless of whether any member of the committee wants it or not, seems to me unrealistic.

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

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

Mr. HAYS. I think the gentleman has made a very clear and important statement. It seems to me that the basis of the gentleman's argument is that we want the rights of the minority, so-called,

to be protected, even though the minority is too lazy, too tired, or for some reason or other does not even bother to go to a meeting. I want to protect the rights of the minority. But I think any member who is interested enough to want to protect his own rights ought to be interested enough to show up at a meeting and make his point of order.

If the gentleman will yield further, I would like to point out that the member would not even have to be present at the beginning of the meeting. He could come in any time, and if a quorum is not present, he could make the point of order that a quorum is not present.

Mr. EVANS of Colorado. Mr. Chairman, will the gentleman yield for one final question?

Mr. BINGHAM. I yield to the gentleman from Colorado.

Mr. EVANS of Colorado. Would the combination of the amendment of the gentleman from Maine and your amendment to it result in a rule which would provide for a Chairman to state at the beginning of a meeting that, "We shall have a closed meeting," but at some time later on, or at that time, if someone objects to it, he can so object, and that when he does so, a quorum must be present, and a majority must vote in favor of a closed meeting before the meeting is closed?

Mr. BINGHAM. I would presume so. Yes; I would presume that is correct.

Mr. EVANS of Colorado. Are you striking the entire amendment of the gentleman from Maine?

Mr. BINGHAM. No, I agree with the Hathaway amendment that the decision to close the meeting must be made by the committee at every meeting; I am simply suggesting that at least one mem-

ber of the committee should be there to request that to be done. He can be there and if there is not a quorum present, he can make his request for a vote and then he can make his point of order that a quorum is not present.

Mr. EVANS of Colorado. I understand the gentleman's point. I approve the amendment and support it.

Mr. BINGHAM. I thank the gentleman.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

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

Mr. WILLIAM D. FORD. I understood the gentleman to say that those present at the constituted meeting would make that decision and it would stand unless someone raised an objection. If there are only two members present at a hearing, that is enough to hold a hearing, and even if two members want to object, they cannot require a quorum because a quorum for the purpose of holding the meeting is at that time present. Under the language the gentleman proposes as an amendment to the amendment of the gentleman from Maine (Mr. HATHAWAY) the effect would be that those two members could decide to close the hearings.

Mr. BINGHAM. I do not believe that is correct. The point is that any member of the subcommittee or the committee in question who is present at the opening of the meeting could ask that the decision be made by rollcall vote. I think that would give adequate protection to any member of the committee to raise the issue, and I think that is all that is needed.

AMENDMENT OFFERED BY MR. BROWN OF MICHIGAN AS A SUBSTITUTE FOR THE AMENDMENTS OFFERED BY MR. HATHAWAY

Mr. BROWN of Michigan. Mr. Chairman, I offer an amendment as a substitute for the amendments offered by the gentleman from Maine (Mr. HATHAWAY).

The Clerk read as follows:

Amendment offered by Mr. Brown of Michigan as a substitute for the amendments offered by Mr. HATHAWAY: Amend page 9, line 11 as follows: Strike the period after "otherwise" and insert: "with respect to any scheduled meeting, specific and separate action being required as to each such meeting."

Amend page 26, line 15, in the same way.

Mr. BROWN of Michigan. Mr. Chairman, the purpose of this substitute is to incorporate the thinking, I believe, of both the gentleman from Maine (Mr. HATHAWAY) and the gentleman from New York (Mr. BINGHAM) as well as the committee.

I think all of us are concerned about a committee taking general action with respect to open meetings and adopting a rule, for instance, that says all meetings shall be closed despite the fact that this language is in the Reorganization Act. My substitute would say that the committee must take separate and specific action on each meeting that will be closed if it is to be closed.

This means if, for instance, the Armed Services Committee is taking up testimony of a critical nature, it may say that the hearings of April 1, 2, and 3 shall be closed, but the committee must

take separate action with respect to each meeting.

I think I share the concern of the gentleman from Maine and others that the committee should not generally close hearings and close meetings, but rather that there must be separate action by a majority of the committee to close any meeting or any hearing.

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

Mr. BROWN of Michigan. I yield to the gentleman from Texas.

Mr. WHITE. Mr. Chairman, speaking of the prior two amendments, since the normal practice is to announce to the public that there is going to be an open hearing, and people from various groups come from all over the country to attend these hearings it is possible under these proposals that people will come to Washington expecting to attend an open meeting, and then when they come here they suddenly find that the hearing has been closed and their trip is wasted.

Mr. BROWN of Michigan. I agree with the gentleman from Texas that the previous proposals would permit that to happen. The effect of the amendment offered by the gentleman from Maine is that the committees will schedule an open meeting, and the public and the media expect to be there and to hear and they suddenly find themselves unable to hear because committee action has been taken to close the meeting. That puts the committee in a difficult spot because oftentimes it would be in the public interest that the meeting be closed.

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

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

Mr. SISK. Mr. Chairman, I want to clarify the answer of the gentleman from Michigan (Mr. Brown) to the question of the gentleman from Texas (Mr. White) in reference to his allusion to Members traveling some distance to a meeting and then finding it closed. It is my understanding that the proposed language would still require individual action day by day? It would, would it not?

Mr. Chairman, I would like to have a rereading of the amendment. It was my understanding that the gentleman just gave an illustration, for example, that if the Armed Services Committee were holding a series of meetings which might go on for a week in connection with a given subject dealing with, let us say, national security, they would still before each meeting have to vote to determine whether it would be open or closed. Did I misunderstand the gentleman?

Mr. BROWN of Michigan. The amendment says that separate and specific action must be taken with respect to each scheduled meeting. This does not mean, however, that where meetings are scheduled for the first and second and third day of the month, or dates such as that, that the committee could not take one action and specifically deal with each of those meetings, so that we would know the meetings of the first and second and third of the month would be closed. And, when the notice went out scheduling those meetings, I would assume that it would then be committee practice or by

committee rule notice would be given that these meetings would be closed.

Mr. SISK. I see what the gentleman undertakes to do in respect to closing meetings for a committee, that the meeting—and when I use the word "meeting," I refer to it as the gentleman, I think, means—for a specific subject might go on for several meetings or for several days.

Is that the meaning of the gentleman's terminology?

Mr. BROWN of Michigan. Yes. The committee in one resolution could determine that the meetings or the hearings, as I recited in the example before, on April 1, April 2, April 3, April 4, and April 5, should be closed. The committee could determine that those meetings be closed.

Mr. SISK. I appreciate the explanation of my colleague from Michigan, because this does clarify that it would not have to vote upon each day for each separate meeting, to go through the procedure.

Mr. BROWN of Michigan. Absolutely not.

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

Mr. Chairman and Members of the Committee, it seems to me that the crucial decision here is whether or not we make it impossible to have a closed meeting on certain subjects on which we simply cannot have open meetings.

We have never had any trouble in the Committee on Foreign Affairs, and we deal with fairly sensitive subjects sometimes. I cannot ever remember a time—and I have been on that committee a lot of years—when anybody wanted to have an open meeting when he was overruled.

What are you trying to do here? Are you trying to make it so that the minority can run a committee even in absentia?

I sometimes disagree with the gentleman from New York (Mr. BINGHAM) on some things, but it seems to me that Mr. BINGHAM's amendment makes a great deal of sense, because what it really says and what it really boils down to is if some dissatisfied minority member wants to vote on procedure in the committee he has at least got to show up to have it.

If I am wrong I will yield to the gentleman to correct me. As I understand the Hathaway amendment, they are going to have their day in court every day whether there or not, and you are going to force them to vote every day.

Mr. WILLIAM D. FORD. Mr. Chairman, will the gentleman yield?

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

Mr. WILLIAM D. FORD. I believe the problem the gentleman in the well has is that he views the object of the amendment of the gentleman from Maine from a different point of view from that of most of the rest of us sitting over here.

Mr. HAYS. Do not say "most of the rest of us," because we have not voted yet. I do not know whether the most support the gentleman or not. I do view it from a different objective, apparently.

Mr. WILLIAM D. FORD. The interest we seek in support of the Hathaway amendment is not in the interest of any Member of Congress or any number of

Members of the Congress, whether majority Members or minority Members, but the public interest. Even if a majority of the committee shows up and would rather have the public not know what they are doing in the committee, all we are asking is that in order to enjoy the privilege of insulating themselves from the public view while they are conducting the public business they must on the record say, "We want to hide this from the public." If they are protecting the national security, the public will let them get away with it, but if they are pulling a fast one and trying to hide the business of the public, the public will not let them.

Mr. HAYS. That is the gentleman's point of view. The point of view I have is that we can have that now if any minority Member is satisfied to show up and ask for it.

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

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

Mr. ANNUNZIO. I appreciate the gentleman from Ohio yielding. If I interpret his statement correctly, he is just as much interested in the public interest as the others are.

Mr. HAYS. That is exactly right.

Mr. ANNUNZIO. From his point of view.

Mr. HAYS. I appreciate what the gentleman says.

The only thing I am interested in is that we protect majority rule. There are some people who would like the minority on anything to prevail. I have found out in my experience that if one wants to be on the prevailing side he has to persuade enough people to vote with him to make a majority.

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

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

Mr. DENT. It might be good for us to look at the experience of a committee which has operated under a rule similar to this, a committee attended by the gentleman who is sponsoring this, putting into effect the act provision, so-called; the Committee on Education and Labor. In our deliberations we are condemned to public meetings, with an audience at our executive meetings on a writeup of Federal legislation. It so happens that I tried at five separate meetings to get some kind of action on a mine safety bill.

However, without going into personalities, because the newspapermen were in on the executive committee meeting, we had a few members who were writing a bill they had never seen and knew nothing about what had gone into the bill prior to that, but so far as they could possibly do so they achieved the job of crippling the committee's ability to operate in any kind of reasonable fashion.

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

(By unanimous consent, Mr. HAYS was allowed to proceed for 3 additional minutes.)

Mr. DENT. Will the gentleman yield further?

Mr. HAYS. I yield.

Mr. DENT. Now, no one in my committee that I know of was trying to de-

lude the people or fool them, because it all comes out in the end. However, let me say that if you tried to put this kind of a ruling through in this House, you may as well come down to the next basic move you have to make, which is to restrict every Member of Congress to one committee and one committee only.

Mr. HAYS. Will the gentleman let me point out something else? I have only a limited amount of time here.

What the gentleman is saying in effect is that you cannot write legislation with a lobbyist sitting at every Member's elbow, and that is exactly what would happen here.

Mr. HATHAWAY. On the contrary, that is just the situation that prevails when you have a secret meeting, because only the lobbyists can have access to the Members.

Mr. HAYS. Now just 1 minute. There has not been a secret committee meeting and there has not been since I have been here of the Committee on Foreign Affairs that somebody in the committee has not immediately leaked his version of what went on to his favorite newspaperman.

Now, you were all here on the floor last week—or presumably most of you were—when I made a motion to lay the motion of the gentleman from Michigan (Mr. RIEGLE) on the table. There was a version that came out in Time magazine that I rose to the bait of the minority leader. Well, the minority leader and some of us planned this for 2 days. But that is what happened. And I did not rise to any bait. I was just operating according to plan. As far as resenting the gentleman from Michigan (Mr. RIEGLE) having his day in the sun, it was planned that he have his 30 seconds in the sun, and it was planned that his motion be laid on the table. He did and it was. But Time magazine did not get it right. Whoever leaked it leaked the wrong version. Every one of you was sitting here and saw what happened. You can read Time and see if it has any remote relationship to the facts in the case.

I am saying to you again, gentlemen, if you want to write up a bill with a lobbyist sitting at every Member's elbow, some of you who like to proclaim yourselves as ultra-liberals—I like to proclaim myself as a liberal—are going to have a rude awakening in store for you. Believe me, I know what I am talking about.

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

Mr. Chairman, apparently the object of the amendment of the gentleman from Maine (Mr. HATHAWAY) is to compel open committee hearings and to compel open committee mark-ups of bills. It is true that his amendments contain escape provisions whereby this can be avoided.

However, I rise to support the position of the gentleman from California (Mr. SISK) and the Committee on Rules in opposition to the pending amendments to the bill.

In several of the committees, such as the Committee on Foreign Affairs, the Committee on Armed Services, and the Committee on Appropriations, weeks and months of hearings are held on sensitive national security matters.

Those hearings, of necessity, must be in executive sessions.

Mr. Chairman, the rules ought to provide a practical, easy way to follow a commonsense procedure with respect to this matter.

In the Committee on Appropriations, we ought to have more open hearings. I would like for us to have more open hearings. We do not necessarily have a passion for anonymity. The people who get the headlines have open hearings. We not infrequently have as many as eight or 10 of our 13 subcommittees sitting at one time. Our meeting rooms here in the Capitol Building itself are quite small. There absolutely is no satisfactory way to have open hearings under existing conditions. When subcommittees meet, the rooms are crowded and stuffy. With committee members and witnesses in the room, there are generally no seats left for others. If we extend the west front of the Capitol—and I do not wish to inject another controversial question—where we hopefully will have more rooms, and more adequate rooms, we can then open up more hearings to the public.

Last January, we planned to have an open hearing with the Secretary of the Treasury and the Budget Bureau on the overall budget for 1971 but we had difficulty trying to arrange for a suitable room in which to hold such a hearing and had to give up the idea.

We do have some open hearings on public works matters and on certain other occasions. It is my recollection that we had over 400 witnesses appear before the Public Works Subcommittee in open hearings this year. We had some open hearings on the District of Columbia bill. Any Members who wish to testify on the public works bill or any other bill are at liberty to do so.

Now, Mr. Chairman, it seems to me that we ought to consider whether or not the pending amendments, if adopted, would contribute to good government.

I was struck by the statement of the gentleman from Ohio (Mr. HAYS)—and in a sense he stole my thunder, because as you know, the silent majority is not going to be present at the open mark-ups of the bills; they are going to be too busy and too occupied otherwise. But if you have open markups on bills—let us say, for example, on the appropriation for the SST—do you not think that the special interests will be there? The silent majority will not be there, but the special interests will be well represented. That is just an example of the situation you would unquestionably have if you have open markups and abandoned executive meetings.

Incidentally, I do not like to call them secret meetings or hearings. "Secret" has an undesirable and unjustified connotation.

Executive committee sessions are for the purpose of transacting the business of the people. The hearings are printed, the parts that are not subject to national security screenings, and the information is made public to one and all.

It seems to me that the Committee on Rules should be supported—that the gentleman from California (Mr. SISK) and his committee ought to be sup-

ported—and we ought to vote the pending amendments down. The pending bill prescribes the more convenient and practical way to conduct this part of the business of the House.

Mr. Chairman, I urge the defeat of the pending amendments.

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

Mr. Chairman, it is very easy to get in this well or get in the columns of some newspapers and impugn certain committees for some insidious motive for holding secret hearings. I have no doubt at all about the sincerity of the gentleman from Maine and I certainly would not depreciate his patriotism or his absolute positive sincerity in offering this amendment. However, there are certain things over which we have no control.

Mr. Chairman, the distinguished gentleman from New York (Mr. CELLER), chairman of the Committee on the Judiciary, has jurisdiction over title XVIII of the United States Code and that is the section of the Code which gives to the Department of Defense and other agencies of the Government the right to classify certain information.

We do not write the statutes, and there are penalties attached for anyone who violates the penal sections of those statutes.

When the Department of Defense comes to us and says "these are secret," we cannot declassify it without taking a chance for some violation of law. If they mark it "Top Secret," we cannot declassify it. One does so only on his own responsibility.

In our committee, we have what are called posture hearings, with the Army, the Navy, the Air Force, and the CIA. They go on day in and day out, and they are classified, and they are secret. If one had to vote every day on a continuing group of witnesses, the people who come to give you information on the status of our military, our inventories, our strength, the conjectural strength of the enemy, or the conjectured enemy, or whomever it may be, these cannot be open to the public.

If every day you had to have a quorum, and you had to have a vote on something where, say, a witness like Mr. McNamara, who used to come in with books this thick, three or four volumes, always at least three volumes, each one the size of a Sears, Roebuck catalog, if you stopped him one day and then started again the next, and you have to have a vote, you would never be finished. It would be interminable, and it is interminable as it is, because those are the most undramatic kinds of hearings that we sit on on posture, and they go on day in and day out, and week in and week out—and my goodness, there is no glamor about them.

This amendment, as honorable as it may be, cannot help the machinery of your Congress. It will tie up your military committee. We would not be able to handle our matters—we would never know when to finish. You just cannot do it.

This is one of the objections. And you just cannot stop and ask everybody every day how he is on every subject—it would take us up to Kingdom Come. Fur-

ther, the Members do not come in on time.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

Mr. RIVERS. Of course, I will yield to the gentleman from Michigan if he can contribute to what I am trying to say.

Mr. BROWN of Michigan. I thank the gentleman for yielding, Mr. Chairman, and I am not sure whether the gentleman will think I have contributed, but I will try.

Mr. RIVERS. I am not sure either, but take a whack at it.

Mr. BROWN of Michigan. I will do my best.

Does the gentleman think that it would be essential for him to have his committee adopt a rule saying that all meetings of the Committee on Armed Services should be closed?

Mr. RIVERS. No, and we do not do it, we adopt our rules—and I am glad and delighted with the gentleman from Michigan because he has made a great contribution. At the beginning of the sessions of our committee we adopt the rules, and we stick precisely to the letter of every rule which we adopt.

Mr. BROWN of Michigan. Would the gentleman yield further—

Mr. RIVERS. And whenever anybody wants a rollcall he gets it. There is the gentleman from New York (Mr. PIKE) standing there, and whenever he wants a rollcall he gets it. And the only time he disagrees is when he disagrees with the result.

Mr. BROWN of Michigan. Mr. Chairman, if the gentleman will yield further, would not the gentleman agree that there are many times when his committee has a week of hearings that need to be closed, but that at other times the meetings can be open?

Mr. RIVERS. Oh, we have open hearings all the time.

Mr. BROWN of Michigan. And would not the gentleman agree that the practice of his committee is not in opposition to the substitute I have proposed, which says that the committee can determine in advance that certain meetings of the committee shall be closed?

Mr. RIVERS. I am not sure about what this amendment does, because the gentleman read it one way and explained it another way, and I do not know just what to say.

Mr. BROWN of Michigan. I thank the gentleman for yielding.

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

Mr. RIVERS. I yield to the gentleman from New York.

Mr. PIKE. The amendment offered by the gentleman from Maine (Mr. HATHAWAY) as amended by the amendment offered by the gentleman from New York (Mr. BINGHAM) would not require a quorum to be present, and would not require a recorded vote.

Does not the chairman of the Committee on Armed Services think that under those circumstances the committee could proceed with its business under very reasonable conditions?

After all, I have been on the committee for 10 years and I do not think anyone ever made a point that a quorum

was not present. We do operate on good faith, because all parliamentary procedure has to proceed under good faith.

But under the provisions of the amendment, as amended by the gentleman from New York (Mr. BINGHAM), I do not really think that it would delay any legislative process.

Mr. RIVERS. I will say this to the gentleman. In our committee if anybody wants a rollcall, and the gentleman from New York (Mr. PIKE) knows it, he gets it. We have no trouble at all conducting the business of our Members. The adoption of any of these things will disturb the relationship which exists in the committee the size of ours, with 40 members, because necessity being the mother of invention, as soon as you have a way to use dilatory tactics and practices, that way will be found.

Mr. Chairman, I say that this is not necessary and it is not needed. We get along well and to change this thing now is fraught with all kinds of dangers. I am sure that the adoption of this amendment will prove to be disastrous to the orderly processes and the business of this House.

Mr. ESCH. Mr. Chairman, I move to strike out the last word and rise in support of the substitute amendment.

Mr. Chairman, I think it is essential that we reexamine the substitute in light of the previous discussion by the two previous speakers.

I have great respect for the work of the chairman of the Committee on Armed Services and the Committee on Appropriations who preceded me in the well.

I was an original advocate of the Hathaway amendment. But during the discussion that has ensued in the last hour, I think it is clear that the substitute is preferable.

I would like to outline to you exactly what the substitute does.

First, it places the responsibility and the burden of proof on the committee itself as to whether or not sessions will be closed as does the Hathaway amendment. However, it may do so in one vote rather than each individual day. So the Committee on Appropriations or the Committee on Armed Services and other committees, who wish to have closed sessions or executive or markup hearings on a particular subject matter, may do so with one vote. However, it would not give blanket authority at the beginning of a session for total closing of all committee hearings or sessions.

I think this is essential. First of all, the public has a right to know. Later today, we will be voting for an amendment to indicate that the public has a right to know what we vote for here in the Committee of the Whole. The public also has the right to listen in on the sessions of committees where so much of our legislative work is done, except when the committee, on an individual subject matter, makes a determination that it is not in the best interests of the country that this particular subject matter be discussed in the open.

So I commend to you very careful consideration of the substitute amendment offered by the gentleman from Michigan

(Mr. BROWN). It does one more thing. I think there has been some discussion about lobbying and lobbyists sitting in or sitting out. I think we should recognize that lobbying is an inherent part of our democratic structure. If there are evils in lobbying or lobbyists, then they are evils which this body itself should attempt to control. But to condemn lobbyists by saying they may not sit in a session, is to suggest that lobbyists in and of themselves, be they for any group or any collection of individuals, is not an inherent part of the democratic process, which indeed they are.

So I would suggest the intent of the Hathaway amendment—that is to open up the meetings to the general public—is contained in the substitute. However, the technical procedures which are especially needed by committees such as the Committee on Appropriations and the Committee on Armed Services can be met also by the Brown substitute.

On that basis I would commend to you careful consideration accepting the substitute amendment.

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

The CHAIRMAN. The gentleman from New York is recognized.

Mr. CELLER. Mr. Chairman and members of the committee, I was first elected chairman of the Judiciary Committee for a great many years. Indeed my appointment goes back to 1948. It only seems like yesterday.

I therefore do not speak from a wealth of ignorance. I speak from great experience on that committee. As a result of that experience I have come to the conclusion that the wording of the Sisk amendment, the amendment before us that came to us out of the Rules Committee, is adequate for all purposes:

(f) Meetings for the transaction of business of each standing committee shall be open to the public except when the committee, by majority vote, determines otherwise.

Sometimes it is well, probably, to operate in a sort of gold fish globe. At other times it is not in the public interest to so operate. On many occasions it would be deleterious to the public interest for the Judiciary Committee to operate publicly.

For example, we come to a situation where we write up a bill. There is nothing more serious, nothing more difficult than writing up many of the bills that emanate from our committee. But if you are going to write up those bills with the members having the fearless light of publicity focused on them, there are all manner and kinds of inhibitions affecting the members. There will be all manner and kinds of motives that actuate members when they express themselves in executive session. If you have open hearings, those feelings will be exacerbated. They will speak for back home. They will imagine how their remarks will appear in the next morning's local newspapers. There would be no flexibility, and you know as well as I do that when you mark up a bill, there must be flexibility. You must give and you must take. There must be compromise. But if the members are going to be inflexible—and they will be if the public is admitted to sessions

where you are writing up a bill—they will not yield or compromise. If the members will not yield, you will get no bill. I speak from experience in that regard. Members would remain unyielding even if sincere. Keen insistence upon their individual point of view makes agreement most arduous.

We on the Judiciary Committee—and I am sure my colleagues will bear me out—have been fairly successful. That might be deemed by some even an understatement because we get a general consensus in our committee only because we do not have public hearings when marking up the bill. But under the pending amendments and substitute there is a danger that there will be a demand for public hearings when we even write up a bill, and that is what worries me. It gives me grave concern.

Beyond that, when the demand is made for a quorum, we often have difficulty getting a quorum.

I tell the clerks "to beat the bushes" to get the Members present. I am unusually prompt, but sometimes the Members are not prompt. Sometimes I have to say that "punctuality is the thief of time." All the Members are not as punctual as I am, and I have to scurry around to get the Members in. By the time I have a quorum it is half-past 10 or a quarter to 11, and the period during which we must operate is shortened. So if we are going to insist upon a quorum all the time, we are going to immeasurably delay the work and pile delay upon delay like Pelion on the top of Ossa.

Therefore, I must oppose the pending amendments that have been offered.

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

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

Mr. JONAS. I thank the chairman for yielding. Mr. Chairman, I would not have any objection to open committee hearings but have reservations about the desirability of opening up markup sessions. I do not approve "secret" sessions, and would not object to making a public record of how members vote on mark-ups. Certainly I have never hesitated to disclose how I have voted in markup sessions, but I frankly fear that to open up markup sessions would raise more problems than it would solve.

I ask the distinguished Chairman of the Judiciary is it not true that the work of the mark-up session is somewhat akin to the work a Member does in his office, as opposed to the work he does on the floor of the House?

Here is where the publicity should focus. But in a mark-up session of the committee—and I am thinking of our own sessions in the Appropriations Committee—we labor over the mark-ups and to do it in an intimate, relaxed and informal way. I do not think it would be argued that the public ought to be admitted to our private offices when we are working on bills. Is not the public interest fully served by opening up the proceedings to the floodlight of publicity on the floor of the House and in committee hearings?

Mr. CELLER. I should think that should be ample publicity. I do not think

the public should have to be admitted to and should know every detail and have the light of publicity focused on every "nook and cranny" of the debate when the bill is being written up. I am worried about the inflexibility that will develop.

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

(On request of Mr. KYL and by unanimous consent, Mr. CELLER was allowed to proceed for 2 additional minutes.)

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

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

Mr. KYL. Mr. Chairman, I thank the gentleman from New York for his statement. I would ask the gentleman if he agrees with this further consideration, that man, not because he is evil or because he is secretive, but because he is human, will demand some time for making some private decisions out of the public spotlight, and if we do not provide that opportunity through regular committee action, then he will seek some other off-the-record outside-the-committee meeting to make the little agreements and so on which are necessary in the legislative process?

Mr. CELLER. I thoroughly agree.

Mr. KYL. Mr. Chairman, I thank the gentleman from New York.

Mr. SMITH of California. Mr. Chairman, I rise in opposition to the substitute amendment and to the amendment and to the amendment to the amendment.

Mr. Chairman, the discussion here today on this first important amendment gives you an idea of the problems that the subcommittee faced in going over this particular matter. We went through almost all of this argument that has been presented today. As the distinguished gentleman from California (Mr. SISK), and the distinguished gentleman from Missouri (Mr. BOLLING), so ably stated, those were the problems we faced up to.

This amendment is written in a positive basis that the committees will be open unless they are closed. We thought that was a good suggestion to make, and we came to the conclusion, after a tremendous amount of discussion and hearing.

Mr. Chairman, reading the substitute offered by the gentleman from Michigan, in all honesty I do not understand what it will do. The gentleman has explained what he thinks it will do, but the staff on both sides of the aisle and Members have read it and I do not think we can definitely determine from this language what it will accomplish. In other words, after the word "otherwise" it states:

With respect to any scheduled meeting specific and separate action being required as to each such meeting.

I do not know whether we are going to have a meeting for the beginning of the session or whether we have to have a quorum there or not. Let me refer to one of the rules of the House here, section (h) of rule XI.

It states that each committee may fix the number of its members to constitute a quorum for taking testimony and receiving evidence, which shall not be less than two.

We have subcommittee meetings and other meetings. If they want to have a closed meeting of the Internal Security Committee, for example, they could not do it if any one of these amendments, or the substitute is approved.

I do not oppose your principle, Mr. BROWN, only I do not understand your language. If you will write it in a different form, so that I can understand it and so that we can make a record on it, we can make sure, because that is what we are going to be interpreting.

Mr. BROWN of Michigan. Mr. Chairman, will the gentleman yield?

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

Mr. BROWN of Michigan. If the gentleman will look at the amendment in the context of what the committee has already written, I think he will understand. First, we must remember it is a substitute. It strikes all of the Hathaway and Bingham proposals. As an addition to the language of H.R. 17654, it says that every scheduled meeting shall be open unless the committee at some time has taken action to say that such meeting or such group of meetings will be closed. That is what it says. It is that simple.

It does not require the committee to take the action on the day of the meeting. But it does mean a committee cannot, at the start of the session, adopt a rule saying that all meetings will be closed, which they can do under the rule as it is presently in the bill. It says they must take action as to every scheduled meeting, if they want to close it.

Mr. SMITH of California. That is what it says, each such meeting. I do not believe it will help. They will have to have a quorum present. They will have to vote. If one person is against it, he can object. And considering it the other way, one person can do it, in my opinion, and it will simply cause confusion and complications.

The Committees on Appropriations, Armed Services, Foreign Affairs, and Internal Security have to have some of the rights we give to them in the committee bill. If we do not we are going to mess this whole thing up.

Mr. Chairman, I am opposed to the amendments.

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

In the few remarks I made a while ago, I touched upon a subject matter that has not been touched upon; that is, if we pass this type of restriction and these criteria for our committee meetings it means we must then pass another basic change as to the construction of House membership and its relationship to committee meetings and committee membership. We will definitely have to cut down the membership of every Member to one single committee. It is impossible to supply the number of bodies, out of this group, to attend in force as prescribed by the maneuvers that can be put into effect by these amendments, for every committee meeting being held.

I want the Members to pick up the Washington Post for this morning and to read the list of the committees. Get the number of members on those com-

mittees. I defy anybody to muster the membership necessary to be in attendance at a quorum at those meetings. It is impossible to do.

I as a witness can say from experience it is impossible to write up a bill if you have the public attending. It is absolutely impossible to do so, because we have had to go through this type of restrictive meeting.

We have to have a closed meeting to write up the bills in our committee, on the subcommittee, and unless a majority of the committee by a majority vote allows an open meeting. I admit that I took the bold and probably unconstitutional action of just declaring that the meetings were going to be closed. And they were closed.

The fellows who have so much ambition about being there at the opening meetings, and have so much to say about what is going into the bill, offering amendments when they did not know what they meant or what they intended to do, when we had a closed meeting never attended. I have to coax them to come to make up a quorum to vote the bill out. We just cannot get them there.

We are human beings. Some of us are motivated by different principles. Some of us are motivated by a desire to do what we think is right, and some are motivated by what they have to do to get back to Congress again.

It appears at times to be their only motivation.

They have no idea of what they are trying to do or care to do. I say this without any fear of contradiction, because I served for 39 years in legislative bodies and I have seen them come and go.

Yes, the best meetings in the world are open meetings. We never have a closed hearing in my committee at any time. The public is invited. Thus a vast difference between hearings and markup executive sessions.

Look around you. How many times do you have more than one person above and beyond the witness who is even attending the meeting that you are holding open? But just as sure as you are alive, the minute you go into the markup session on a bill that had no one in attendance during the public hearings, the minute you go into the meetings to mark that bill up, you get a full complement of Members and a full complement of witnesses, good and otherwise. Why, at one of our meetings this year they were passing question slips from men who had never attended a public meeting, to members of my committee. They were asking questions on technicalities, some of which were not germane to the bill. I was born and reared in the coal field that we were legislating and the questions were so technical it required experienced mine engineers to answer.

This is a very serious question, because all lobbyists are not the kind and gentle people that have been described here, although many of them may be. I will tell you the good lobbyists are a great aid to the legislative processes of this Government. Those who know their business and give you a straight story cannot be done without, because they are a help to the legislative process. But there are

those who know nothing of the subject matter but only know what they are supposed to know, which is somebody who is interested in the subject matter. These are the kinds who destroy the writeup sessions on legislation.

Mr. Chairman, I repeat the warning. There are not enough bodies in this Congress to comply with some of the changes that you want to be made here. We have found in our committee that dilatory tactics have caused it to be the most cumbersome committee on the Hill. We go week after week and day after day, with those of us trying to be faithful sitting there and working on the bill while others go out of the room. Only when they find that we have a quorum—and this goes for the other side even more that for our side—when we do get a quorum with all kinds of gentle hints and sometimes a little more than gentle prodding, then they come in and sit there and start making motions to keep the committee from acting.

Mr. Chairman, we are now in the month of July. All of the work we have done to date could have been finished in the month of March. There is not a person in this room who has had any experience in a legislative body that will deny that. There is absolutely no reason in the world to do what we are doing here except for reasons that are other than those for which we were elected; namely, attending to the business and the affairs of the people of the United States and the House of Representatives rather than attending to the affairs of those who do not want legislative enactment, they only want an issue.

Mr. SISK. Mr. Chairman, I rise in opposition to the substitute amendment.

Mr. Chairman, I would like to say this: I have been asked by several about seeing if we could not agree to some time limitation. I am not going to seek any time limitation, because I know that many Members have waited for many years to have an opportunity to come here on the floor and discuss this issue. Our committee is unanimous in wishing to give Members an opportunity to discuss these various proposals. So we are not seeking to cut off debate and we will not. It may be that as times goes on we will seek some kind of unanimous consent agreement, but I want to say today that I think the membership that is here on the floor of the House and their attendance indicates there is truly interest in the subject matter which we brought before you.

Now, I was concerned yesterday about the lack of attendance on the floor of the House but it indicates that there is never too much interest in general debate, until you get down to the meat of the coconut, and apparently we are getting down to the meat of the coconut today.

Mr. Chairman, there has been a great deal said on this particular amendment. Of course, we would hope that before too long we might vote on this and move along to the next section.

I would simply like to again reiterate the fact that this was a subject that the committee gave a great deal of attention to. We examined various ideas and proposals. We explored a lot of language. We went up and down a lot of hills. It

seems to me that to some extent the amendment which has been offered may have been instigated by some of our friends in the news media. I note particularly in recent days a great campaign by the news media, including the press and the radio and the television, to the effect, that there is some great secrecy in the House of Representatives in the congressional transactions.

Frankly, Mr. Chairman, I think all of us who have lived with this for some years recognize that this so-called charge of secrecy—and I say "secrecy" in quotation marks—is basically a figment of the imagination of the news media.

Mr. Chairman, I am curious, and I would challenge anyone to cite instances to me with reference to the many things that go on in committees on which there is not available some general information.

As I said to a news man yesterday, perhaps some of our friends of the press are getting a little bit lazy and they would like to have everything written out and submitted to them, because some of the amendments we have seen here would indicate that that is the case and that that is the kind of thing they are pushing for.

Now, Mr. Chairman, I have great respect for the gentleman from Maine (Mr. HATHAWAY) and other Members who are interested in this particular amendment. But I, for one, and I believe it very firmly, believe if the amendment or if even the substitutes were selected or were approved and became law, we would see all kinds of dilatory tactics used. I think we would see a complete slow down of committee action. I think it would be detrimental to the business of the people and that is what we are all concerned with. We are here as representatives of the people.

Mr. Chairman, I would urge that the various substitutes be voted down and, of course, that this amendment be voted down and that we proceed to work on other portions of this bill.

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

Mr. Chairman, it seems to me that we have had a good discussion of this problem of closed meetings. I think that there is merit to the contention that the proposal originally offered could become cumbersome and unworkable in some instances. For this reason, I would hope that the Bingham substitute to the amendment would be accepted, because I think that would remove much of the cumbersome requirements that could create problems for committees. I am sure no one wants to create problems for the committees, but simply to make sure that a fair and orderly procedure is observed.

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

Mr. FRASER. I yield to the gentleman from Maine.

Mr. HATHAWAY. As the author of the amendment, I would be glad, after listening to the debate, to accept the Bingham amendment to my amendment.

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

Mr. FRASER. I yield to the gentleman from New York.

Mr. CONABLE. Mr. Chairman, I would like to say that I concur with the concerns that have been expressed with reference to possible dilatory tactics. I think it is necessary to shift the burden of proof from advocates of the open meeting to advocates of the closed meeting. Therefore, it seems to me that the Bingham amendment does offer a good opportunity in this respect in that it would not require the presence of a quorum, and it would not require a roll-call vote.

And yet of course these devices are always available to people who are present, and who object to proceeding without a quorum. I am sure that nothing that anybody has said here today would indicate that we were in favor of proceeding without the existence of a quorum. The amendment offered by the gentleman from New York (Mr. BINGHAM), does streamline the procedure while leaving the burden where it should be, and I intend to support it.

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

Mr. FRASER. I yield to the gentleman from New York.

Mr. SCHEUER. Mr. Chairman, as a member of the Committee on Education and Labor, I would like to correct the RECORD in one respect. We have been operating under the so-called open rule procedure, both for our open meetings and for our markup sessions. I think one thing that many of us agree on, and I have talked to many of the Members in the last half hour, is that we have had a much easier time getting a quorum when the markup session is going to be open than we had before the change in the rules, when the markup sessions were closed.

There is something very effective, apparently, about the presence of the media out there in front of us that seems to stimulate large-scale, effective member attendance at the markup sessions. So I do not think any Member of the House ought to fear that there is necessarily any correlation between open markup sessions and lack of attendance at those sessions. In fact, the correlation is quite to the contrary.

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

Mr. Chairman, I would urge that the amendment offered by the gentleman from New York (Mr. BINGHAM), be adopted, because I believe it makes the entire amendment acceptable.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. BINGHAM), to the amendments offered by the gentleman from Maine (Mr. HATHAWAY).

The question was taken; and on a division (demanded by Mr. BINGHAM) there were—ayes 85, noes 72.

Mr. BOW. Mr. Chairman, I demand tellers.

#### PARLIAMENTARY INQUIRY

Mr. SISK. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. SISK. Mr. Chairman, is it correct that the vote we have just had has been on the amendment offered by the

gentleman from New York (Mr. BINGHAM), to the original amendments offered by the gentleman from Maine (Mr. HATHAWAY)?

The CHAIRMAN. The Chair will state that the gentleman is correct.

Mr. SISK. And that the next vote will occur on the substitute amendment offered by the gentleman from Michigan (Mr. BROWN), for the amendments offered by the gentleman from Maine (Mr. HATHAWAY), as amended?

The CHAIRMAN. The Chair will state that the gentleman is correct.

Mr. SISK. And then the final vote will be upon the amendments offered by the gentleman from Maine (Mr. HATHAWAY), in whatever status they are in; is that correct?

The CHAIRMAN. The Chair will state that that is correct.

Mr. BOW. Mr. Chairman, I withdraw my demand for tellers.

So the amendment to the amendments was agreed to.

The CHAIRMAN. The question is on the substitute amendment offered by the gentleman from Michigan (Mr. BROWN), for the amendments offered by the gentleman from Maine (Mr. HATHAWAY), as amended.

The substitute amendment was rejected.

The CHAIRMAN. The question is on the amendments offered by the gentleman from Maine (Mr. HATHAWAY), as amended.

Mr. SMITH of California. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chair appointed as tellers Mr. HATHAWAY and Mr. SISK.

The Committee divided, and the tellers reported that there were—ayes 102, noes 132.

So the amendments were rejected.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### PUBLIC ANNOUNCEMENT OF COMMITTEE VOTES

SEC. 104. (a) Section 133(b) of the Legislative Reorganization Act of 1946 (2 U.S.C. 109a(b)), as amended by section 103(a) of this Act, is further amended by adding at the end thereof the following: "The results of rollcall votes taken in any meeting of any such standing committee shall be announced in the committee report on that measure unless previously announced by the committee, and such announcement shall include a tabulation of the vote cast in favor of and the votes cast in opposition to each such measure and amendment by each member of the committee who was present at that meeting."

(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: "With respect to each record vote by any committee on each motion to report any bill or resolution of a public character, the total number of votes cast for, and the total number of votes cast against, the reporting of such bill or resolution shall be announced by the committee and included in the committee report."

#### AMENDMENT OFFERED BY MR. FASCELL

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

The Clerk read as follows:

Amendment offered by Mr. FASCELL: 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.

Mr. FASCELL. Mr. Chairman, this amendment making available to the public committee action is an important and vital reform. I offer the amendment for myself and for the distinguished gentleman from Vermont (Mr. STAFFORD) and for 58 other cosponsors. They are: MESSRS. ADAMS, ANDERSON of California, BEALL of Maryland, BUTTON, CLAY, CLEVELAND, COHELAN, CONYERS, COUGHLIN, CULVER, DADDARIO, DANIELS of New Jersey, DELLENBACK, DENNIS, ECKHARDT, EILBERG, ERLBORN, WILLIAM D. FORD, FRASER, HARRINGTON, HATHAWAY, KASTENMEIR, KOCH, LONG of Maryland, LOWENSTEIN, MACGREGOR, MATSUNAGA, MAYNE, MEEDS, MOORHEAD, MORSE, O'HARA, O'NEILL of Massachusetts, OTTINGER, PATTEN, PIKE, PODELL, PRYOR of Arkansas, REID of New York, RIEGLE, ROTH, RYAN, SCHEUER, SCHWENDEL, STEIGER of Wisconsin, STOKES, THOMPSON of New Jersey, TIERNAN, VAN DEERLIN, WALDIE, WINN, WOLFF, WRIGHT, ROONEY of Pennsylvania, REUSS, HELSTOSKI, MOSS, and RODINO.

Mr. Chairman, the present rule on the subject, which is clause 26(b) of rule XI, reads:

Each committee shall keep a complete record of all committee action. Such record shall include a record of the votes on any question on which a record vote is demanded.

The pending legislation, Mr. Chairman, has language which would be stricken by pending amendment, simply provides that—

With respect to each record vote by any committee on each motion to report any bill . . . the total number of votes cast for, and the total number of votes cast against, . . . shall be announced by the committee and included in the committee report.

I respectfully submit, Mr. Chairman, that what is at issue, and although as far as the language in the bill goes, it is desirable, is not so much printing in the report how the committee votes. Obviously if a bill comes out, the majority of the committee will have had to support it, dissenting, minority and supplemental views are included in the report, and we have a pretty fair and accurate reading of what transpired in the report. What really is at issue, is public availability of information on committee action.

Therefore, the proffered amendment simply provides that the roll-call records which the committee is now keeping would be made available for inspection by the public, at reasonable times in the offices of the committee.

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

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

Mr. HAYS. Mr. Chairman, I thank the gentleman for yielding.

I just want to say very briefly I support the gentleman's amendment, because there is no such thing as a secret vote in committee now.

Mr. FASCELL. I agree with the distinguished and able gentleman from Ohio. I thank him for his support.

Mr. HAYS. And this will simply make available to the cub reporters and all those what only the favored reporters can get now. I want all the press to have an equal shot at it.

Mr. SMITH of Iowa. Mr. Chairman, will the gentleman yield?

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

Mr. SMITH of Iowa. Mr. Chairman, I want to clarify that the committee on a markup of an appropriations bill—and let us take the Labor and Education Committee—this last year there were 126 separate items to be voted on in the markup. Would this require that there be a rollcall vote and record made and kept on each of the 126 items?

Mr. FASCELL. The proposed language would not. That would depend on whether a rollcall is asked. Each rollcall vote would be made available.

Mr. SMITH of Iowa. If a rollcall were requested, then that would be the only one that would have to be made a matter of record.

Mr. FASCELL. Yes.

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

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

Mr. GROSS. Mr. Chairman, this does not provide then all the rollcall votes would necessarily be published in the report accompanying the bill or that any rollcall vote would be? That is stricken.

Mr. FASCELL. The gentleman is correct. The language in the bill is stricken, and this is substituted. If a report comes out on the bill, it is obvious a majority was in favor of the bill.

Mr. GROSS. So it would be discretionary in the committee whether those rollcall votes in the committee would be published or not?

Mr. FASCELL. Personally I think it would be useful practice to report in the report how everybody voted, on the final motion to report out the bill. But I do not think that is the issue here. The issue I raise is simply the availability, public availability of rollcall votes in committee.

Mr. GROSS. I support the amendment offered by the gentleman. I think it is a good amendment.

Mr. SMITH of California. Mr. Chairman, will the gentleman yield?

Mr. FASCELL. I yield to the gentleman from California, and I thank the distinguished gentleman from Iowa (Mr. GROSS) for his support.

Mr. SMITH of California. In the amendment which the committee offered we thought there should be, on rollcall votes, the number, and that should

be in the report. In the Rules Committee we do not care. We vote any way up there.

Every time we come up with a bill, we have a hard time determining whether the bill came out of a standing committee by one vote, or by a vote of 10 to 4. We always have to get that information, and eventually make a statement on the floor. Members like to know that.

Why was that not included, as to reporting the number of votes when the committee votes, so that the Members will know when it comes out of the committee? All the other information does not have to be in the report, but the total number of Members voting should be included in the report.

Mr. FASCELL. I have no objection to that procedure. Generally the Rules Committee asks either the chairman or the Member who appears on behalf of the committee to make that designation for the record. As I say, I have no objection to providing that the committee report accompanying a bill must contain a record of the total vote on the passage of the bill by the committee.

But more importantly, we must by adopting my amendment open to the public the votes and actions of our committees which heretofore have been kept closed under the rules.

Mr. Chairman, this is an important and vital reform in the rules of this House and will instill knowledge and confidence in the American people whom we serve and further a great democratic tradition of an open society.

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

I do this briefly to discuss this amendment, to be clear exactly what we are doing.

Again, I have no objection to being recorded. I believe that most Members have no objection to being recorded. I actually do not see a great deal wrong with the amendment.

Let me say this, however: This is another area in which the committee did a great deal of soul searching in an attempt to try to provide a reasonable amount of information and, second, to leave these determinations up to each committee.

Actually, what the language which the subcommittee is bringing to the Members does is to provide that the committee shall make the determination as to what will be made available, as to what kinds of votes. The section is intended to inform the House and the public about the support for and the opposition to the measure in the committee reporting it. That is of necessity required.

At present there is no House rule about announcement of committee votes. This section, therefore, of course is a beginning in that area. Nothing would prevent the individual Members from making their votes public at any time, as exists today. Nothing in the section would prevent the committee from announcing who voted for and against reporting a measure, if the committee so wishes. Certainly nothing in the section would prohibit announcing a vote on any matter before the committee if the committee wishes to do so.

In essence what I am saying is that the position the subcommittee and the Committee on Rules took in this instance was to require certain additional reporting not heretofore required by the rules and, second, to leave rather broad authority to the committee to make additional information available to the public.

As I understand the language of the gentleman from Florida, I see little or no reason to object to it. The problem, of course, is that we would hope again that we would not require so much information, so much material, so many records that it would tend to bog down the work of the committee.

As I believe the gentleman from Iowa (Mr. SMITH) noted a while ago, there are times when there are many, many votes taken; some by division, some by voice, some by record vote on some of the very large bills, and particularly in connection with appropriation bills where many items are considered. To the extent this would become onerous it could be detrimental to the work of the committee.

As I say, I have no objection to the reporting of the vote and who voted how.

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

Mr. SISK. I am glad to yield to the gentleman from Ohio.

Mr. LATTA. I thank the gentleman for yielding.

I think before the gentleman accepts the amendment we should keep in mind the fact that the Rules Committee often does inquire as to how the Committee voted on reporting a bill and the chairman is often embarrassed in not having that vote readily available. This is one of the reasons we included a provision that this vote be in the committee report. So I hope the gentleman offering the amendment and the gentleman from California would accept an amendment which would state that the vote on reporting the bill must be included in the committee report.

Mr. STAFFORD. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Florida.

Mr. Chairman, I am very pleased to cosponsor this amendment with the distinguished gentleman from Florida (Mr. FASCELL) and the 58 others who have joined in bringing this amendment to the floor of the House. I shall not take the 5 minutes which are available to me in the light of what appears to be the temper of the House at this time.

I want to make clear, however, my appreciation of the work of the Rules Committee in bringing this bill to the floor of the House. It provides for the first major reformation of the legislative process in Congress since the Legislative Reorganization Act of 1946. It is a good bill and all Members from both sides of the political aisle who have worked long and hard to produce it are to be congratulated. This amendment, offered by my colleagues and myself, strikes out lines 3 through 10 on page 10 of the committee bill and provides that there be added to rule XI, clause 27b, the following:

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."

Rule II-27B presently reads:

Each committee shall keep a complete record of all committee action. Such record shall include a record of the votes on any question on which a record vote is demanded.

Very simply, this amendment makes the record of rollcall votes in the standing committees of the House, available for public inspection at reasonable times, in committee offices.

There is no requirement for new records to be kept. No additional administrative duty is imposed upon committees since, as I have noted, the records of rollcall votes in committees are already required to be kept.

I believe it is in the national interest for Congress to operate as openly as possible. Secrecy, where it is unnecessary, unnecessarily alienates the public.

In Congress where enormous numbers of bills are introduced each year, the work of the standing committees of the House are of paramount importance.

Any American voter and taxpayer, who wants to understand how bills have been passed, how money has been authorized for programs—and spent, how his representatives have voted in the first truly important instance, needs to know what the rollcall votes have been in committee.

Each voter has a stake in this amendment.

The better informed our Nation's electorate is about the operations of Congress which can properly be disclosed, the greater faith the public will have in Congress. I urge adoption of the amendment.

Mr. WYATT. Mr. Chairman, will the gentleman yield to me?

Mr. STAFFORD. I yield to the gentleman from Oregon.

Mr. WYATT. Mr. Chairman, the bipartisan amendment to require the disclosure of rollcall votes on measures and matters in House committees is both of singular importance in creating a more efficient and democratic House procedure, and of general importance in reestablishing the high level of credibility so necessary in a truly representative Congress. The bipartisan support of the amendment speaks well for the fact that both parties recognize and are willing to act upon the need to improve the image of the House; an image which has directly resulted from the antithesis of representative government—secrecy.

The evils of congressional secrecy have not gone unnoticed by the public, and the pressures for maximum openness, and credibility are manifested in the me-

dia, in our correspondence, and in the mood of our society.

There have been many ideas put forth, both in the past and in this reorganization bill, which propose to reduce the dangerous level of secrecy, however the effectiveness of many of these leave much to be desired. The provision in the bill requiring that only vote totals be made public by committees is meaningless. It will be of little benefit in instilling increased responsibility in committee members, nor will it serve any purpose in eliminating the aura of secrecy so greatly feared in our society. It is a halfway measure which continues to deprive our constituents of their right to know of their Representative's opinions and decisions. It is not enough to say that voting on the floor of the House is made public since recorded floor votes comprise such a small portion of legislative decisions. We must open our doors and afford the public the full measure of their right to see how, and if, they are being represented.

This amendment is specifically designed not only for the benefit of the public, but also for each individual Representative. Our knowledge of the climate of committee opinion on a report is of value to all of us, and that value can only be enhanced by granting access to the public of the voting record of our committees. This amendment will make the record of committee votes available to all. Our constituents would have a greater opportunity to determine the degree of consideration given to particular matters in committee. The thrust of H.R. 17654 is to give the public a better opportunity to observe the operations of Congress at a time in history when such operations are being questioned and criticized, and this amendment is entirely consistent with this admirable motivation.

Mr. BINGHAM. Mr. Chairman, will the gentleman yield to me?

Mr. STAFFORD. I yield to the gentleman from New York.

Mr. BINGHAM. Mr. Chairman, I thank the gentleman for yielding.

I would like to say that I am also one of the cosponsors of this amendment and hope it will be overwhelmingly adopted.

I would like to make the one further point that this amendment will not add to the committee work, because the records that are required are already required to be kept by the committee.

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

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

Mr. DENNIS. Will the gentleman agree with me that a significant difference between this amendment and the Hathaway amendment lies in the fact that in the Hathaway amendment you were dealing with the working process and you were up against the difficulty of actually working and legislating and drafting a bill with lobbyists in your lap and the press beating down your neck, whereas here we are dealing with the question of making public the results when that process is finished, which is quite a different thing, and a thing of which the public is definitely entitled to

have knowledge? Will the gentleman agree with me it is a significant difference?

Mr. STAFFORD. I agree completely with the gentleman, who is also a co-sponsor of this amendment.

Mr. MOSS. Mr. Chairman, I rise in support of the amendment.

Mr. Chairman, I derive a great deal of personal pleasure from the fact that I have the opportunity of supporting the amendment offered here today by the gentleman from Florida (Mr. FASCELL) because about 16 years ago the two of us launched an effort under a special subcommittee on information, and we bore down upon the executive departments and agencies of this Government for fuller disclosure.

Now, finally, we are going to give the public access to information about some of the most important actions which Members of this body are called upon to take, the votes cast in committee, the votes cast where they really count.

Mr. Chairman, we are supposed to keep the records anyway. All this proposes to do is to provide that they will be publicly available. It seems to me that that is the bare minimum we should disclose, if we are responsible to the people who send us here to exercise their power and to speak on their behalf.

Mr. Chairman, I strongly urge the adoption of this amendment and the opening of these important records to public inspection.

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

Mr. MOSS. I shall be glad to yield to my colleague from California.

Mr. WALDIE. I join with the gentleman in support of the amendment. However, I want to address myself to one of the remarks that has been made in terms of the problems involved in the deliberations in committee and the horrors that would then result if such disclosure is made as has been suggested by some Members here today.

I can understand and sympathize with the chairman of the Armed Services Committee in his desire that information that may be deleterious to the Nation if it is understood by people who are not in sympathy with the aims of this Nation, ought to be taken in closed session. But it seems to me that we close the other committee meetings because of information that might become available to the people when we are not seeking to protect the Nation's interest, but the individual Member of Congress from the public knowing what he is saying, knowing what he is talking about and knowing how he arrived at that decision.

Mr. Chairman, I particularly find it hard to believe that we have to be protected from lobbyists; that if lobbyists know how we vote and discuss matters in closed hearings, that they might use that information against us. I am sure that the Member who made that suggestion did not direct it at his own inability to face such a disclosure but directed it to all Members—an implication I personally find demeaning.

Mr. MOSS. Let me interrupt the gentleman and observe that the lobbyists know more about what goes on in the

committees than any other group on the Hill, in my judgment. I am not afraid of them knowing about it because I served as did the gentleman from California (Mr. WALDIE) in the Legislature of California where we had no closed meetings, neither for markups or otherwise.

Mr. WALDIE. Mr. Chairman, if the gentleman will yield further, just in closing, I wanted to make that point also and what seems so peculiar to California Members who came from the California Legislature is that there was never a closed committee hearing in that body and it did not bring about the terrible results that have been suggested on the floor here today if we followed this procedure.

Mr. MOSS. On the contrary, I think it created a model legislature.

AMENDMENT OFFERED BY MR. SMITH OF CALIFORNIA TO THE AMENDMENT OFFERED BY MR. FASCELL

Mr. SMITH of California. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from Florida (Mr. FASCELL).

The Clerk read as follows:

Amendment offered by Mr. SMITH of California to the amendment offered by Mr. FASCELL: At the end thereof, insert the following: "With respect to each record vote by any committee on each motion to report any bill or resolution of a public character, the total number of votes cast for and the total number of votes cast against the reporting of such bill or resolution should be included in the committee report."

Mr. SMITH of California. Mr. Chairman, this is the identical language on page 10 of the committee amendment with the exception of the five words at the end; those are scratched out, but the other language is in there, so that the total number of votes for and against will be put in the committee report so that the Members reading the committee report will know how this particular bill was reported out by vote.

If the gentleman from Florida (Mr. FASCELL) had added his to ours, I would not have to do it, but he has stricken out lines 3 to 10, so the whole committee amendment is out, and this is the only way I can get it back in.

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

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

Mr. FASCELL. Mr. Chairman, as I said in the earlier colloquy, I certainly have no objection to what the gentleman is trying to do.

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

Mr. SMITH of California. I will be glad to yield to the gentleman from Vermont.

Mr. STAFFORD. Mr. Chairman, I would be glad to say that I would approve of the amendment offered by the gentleman from California to the amendment offered by the gentleman from Florida, also.

Mr. SMITH of California. I thank the gentleman.

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

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

Mr. SISK. Mr. Chairman, I am glad to concur with the gentleman from California, and concur in his language.

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

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

Mr. MICHEL. Mr. Chairman, I thank the gentleman for yielding, and I would just like to say that any number of times I will vote to report out a bill from our Appropriation Committees on which I have reservation on several items, but in order not to delay the legislative process I vote to report out the bill, but I do not want it to be considered that in voting out a bill that I am in favor of every particular item in that legislative measure.

Would the gentleman comment on that?

Mr. SMITH of California. There would be no names listed. This would be just the total number for and against, so that we will know whether it came out by one vote, three votes, or how many were for it.

Mr. MICHEL. I thank the gentleman. The CHAIRMAN. The question is on the amendment offered by the gentleman from California (Mr. SMITH) to the amendment offered by the gentleman from Florida (Mr. FASCELL).

The amendment to the amendment was agreed to.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Florida (Mr. FASCELL), as amended.

#### PARLIAMENTARY INQUIRY

Mr. REES. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state his parliamentary inquiry.

Mr. REES. Mr. Chairman, what we are voting on now is the language in the amendment offered by the gentleman from Florida (Mr. FASCELL) to which has been added another phrase in the amendment offered by the gentleman from California (Mr. SMITH), dealing with the printing of the results in the reports?

The CHAIRMAN. The Chair would advise the gentleman from California that the Committee now will vote on the amendment offered by the gentleman from Florida (Mr. FASCELL), as amended by the amendment offered by the gentleman from California (Mr. SMITH).

Mr. REES. I thank the Chairman. The amendment, as amended, was agreed to.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

#### FILING OF COMMITTEE REPORTS

SEC. 105. (a) Section 133(c) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190a(c)) is amended—

(1) by striking out "each such committee" and inserting in lieu thereof "each standing committee of the Senate (except the Committee on Appropriations)";

(2) by striking out "or House of Representatives as the case may be,"; and

(3) by adding at the end thereof the following:

"In any event, the report of any such committee upon a measure which has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the Senate is not in session) after

the day on which there has been filed with the clerk of the committee a written and signed request of a majority of the committee for the reporting of that measure. Upon the filing of any such request, the clerk of the committee shall transmit immediately to the chairman of the committee notice of the filing of that request."

(b) Clause 27(d) of Rule XI of the Rules of the House of Representatives is amended—

(1) by inserting "(1)" immediately after "(d)"; and

(2) by adding at the end thereof the following subparagraph:

"(2) In any event, the report of any committee on a measure which has been approved by the committee shall be filed within seven calendar days (exclusive of days on which the House is not in session) after the day on which there has been filed with the clerk of the committee a written request, signed by a majority of the members of the committee, for the reporting of that measure. Upon the filing of any such request, the clerk of the committee shall transmit immediately to the chairman of the committee notice of the filing of that request. This subparagraph does not apply to a report of the Committee on Rules with respect to the rules, joint rules, or order of business of the House or to the reporting of a resolution of inquiry addressed to the head of an executive department."

#### PROXY VOTING

SEC. 106. (a) Section 133(d) of the Legislative Reorganization Act of 1946 (2 U.S.C. 190a(d)) is amended—

(1) by striking out "any such committee" and inserting in lieu thereof "any standing committee of the Senate (except the Committee on Appropriations)"; and

(2) by adding at the end thereof the following: "The vote of the committee to report a measure or matter shall require the concurrence of a majority of the members of the committee who are present. No vote of any member of any such committee to report a measure or matter may be cast by proxy if rules adopted by such committee forbid the casting of votes for that purpose by proxy; however, proxies shall not be voted for such purpose except when the absent committee member has been informed of the matter on which he is being recorded and has affirmatively requested that he be so recorded. Action by any such committee in reporting any measure or matter in accordance with the requirements of this subsection shall constitute the ratification by the committee of all action theretofore taken by the committee with respect to that measure or matter, including votes taken upon the measure or matter or any amendment thereto, and no point of order shall lie with respect to that measure or matter on the ground that such previous action with respect thereto by such committee was not taken in compliance with such requirements. Whenever any such committee by rollcall vote reports any measure or matter, the report of the committee upon such measure or matter shall include a tabulation of the votes cast in favor of and the votes cast in opposition to such measure or matter by each member of the committee. Nothing contained in this subsection shall abrogate the power of any committee of the Senate to adopt rules—

"(1) providing for proxy voting on all matters other than the reporting of a measure or matter, or

"(2) providing in accordance with the rules of the Senate for a lesser number as a quorum for any action other than the reporting of a measure or matter."

(b) Clause 27(e) of Rule XI of the Rules of the House of Representatives is amended by adding at the end thereof the following: "No vote by any member of any committee with respect to any measure or matter may be

cast by proxy unless such committee, by written rule adopted by the committee, permits voting by proxy and requires that the proxy authorization shall be in writing, shall designate the person who is to execute the proxy authorization, and shall be limited to a specific measure or matter and any amendments or motions pertaining thereto."

#### AMENDMENT OFFERED BY MR. SCHWENDEL

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

The Clerk read as follows:

Amendment offered by Mr. SCHWENDEL: On page 13, strike out lines 15 to 24, inclusive, and insert in lieu thereof the following:

"(b) Clause 27(e) of rule XI of the Rules of the House of Representatives is amended by adding at the end thereof the following: 'No vote of any member of any committee with respect to any measure or matter may be cast by proxy.'"

Mr. SCHWENDEL. Mr. Chairman, another area that the Committee on Rules has not sufficiently considered in my view has to do with the matter of proxy voting.

The Rules Committee proposal would basically "legalize" the present custom and usage with respect to proxy voting, and arguably it does limit somewhat the scope of proxies which may be issued.

This is a step—and a step in the right direction. However, we live in an age which calls not for timid steps but rather for bold strides.

The bold stride which I am proposing in my amendment is to eliminate all proxy voting in the committees. Without question, the bulk of the truly significant legislative decisions made by the House are made in the committees. With 435 Members, it would be impossible to operate with any other arrangements. We simply must rely to a large degree on the judgments of our colleagues who serve on the various committees. However, it follows logically that if we are to place such heavy reliance on the committee members, they should be present in person to listen, to debate, discuss, and vote on the various legislation being considered by the committee.

There are no provisions, nor should there be, for voting by proxy on the House floor. It seems to me that the votes cast in committee are often far more important than those cast on the floor. This is especially true here on the House side. In order to assure full debate and consideration of legislation, all Members should be present in person when the committee meets.

While it would be impossible to force Members to attend all sessions of the committees, including hearings, it is not too great a burden to require their presence when legislation is being voted on. I refer, of course, to all votes on the legislation and other matters before the committee, not just the vote reporting out a bill. If necessary, committee assignments and scheduling of hearings could be reorganized to avoid conflicts.

Proxy voting tends to add to the cloud of suspicion hanging over the Congress. Use of proxy voting on important bills effectively gives up a Member's voice in many instances and adds to the appearance of secrecy that we are accused of too often—and I think falsely—even

though there may be no basis in fact for such an attitude.

In conclusion, I urge my colleagues to join me in this bold stride toward a better and more effective Congress by elimination of proxy voting.

Mr. GIBBONS. Mr. Chairman, I rise in opposition to the amendment and move to strike the requisite number of words.

Mr. Chairman, I know what the gentleman from Iowa (Mr. SCHWENDEL) is aiming at. It is a problem sometimes. When I came to Congress a few years ago—and I had not been here as long as Mr. SCHWENDEL had—I had the same opinion he has, but experience has taught me that sometimes proxies are necessary, and I would hope that we would sustain the committee position at this time on this particular committee amendment. I think the committee has done a very responsible job in tying down the proxies so they would be more specific and so there would be no abuse of the proxy system.

I do have a question for the committee to help interpret the committee language, and I would like to have the attention of the subcommittee chairman (Mr. SISK) if I may at this time, the author of this legislation. In interpreting the words "measure or matter" on line 18, and the words "measure or matter" on line 23, I would assume that the word "matter" would include such procedural matters as motions to adjourn, motions to recess, and things of that sort. Am I correct in that interpretation?

Mr. SISK. Basically that would be correct. In other words, for example, motions to table. The gentleman knows and understands what "measures" refers to. A matter would be other procedural questions involved in connection with the same subject.

Mr. GIBBONS. That is the question I had, and the answer confirms my belief in the intended meaning of those words. I respectfully ask the committee to sustain the Rules Committee and to vote against the Schwengel amendment.

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

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

Mr. KYL. Mr. Chairman, the gentleman says his experience leads him to vote against this amendment, saying it is so because it is so. I would like to have the gentleman elucidate some of the reasons for opposing this amendment.

Mr. GIBBONS. There is a committee meeting going on right now, and I am on the floor. I found it necessary to empower a member of that committee with a proxy this afternoon, and it is a very specific proxy. Sometimes that does occur. There are times when a Member is temporarily ill, and he has heard the debate on the matter, and he handles it very properly.

I think in the Fascell amendment we adopted just a while ago, we would go a long way toward removing any abuse in this matter, because the Fascell amendment required that in those record votes in the committee it should show whether the person voted in person or by proxy, so if someone begins to abuse the proxy, it is going to show up in the record of the committee.

Mr. KYL. The gentleman speaks of a committee that is in session at this time. If the committee is in session, the proxy is not recorded unless the committee does vote, unless anybody does object.

Mr. GIBBONS. That is correct.

Mr. KYL. Does this not minimize the gentleman's argument considerably?

Mr. GIBBONS. Oh, no. I would like to be recorded in this committee right now, and I am being recorded as present, I understand, but it is physically impossible to be in two places at one time.

Mr. KYL. If it is simply a desire to be recorded, could it not be done such as is done on the floor when we have a pairing?

Mr. GIBBONS. That would not be possible. My vote would not count. There are other committees. The Appropriations Committee is required to meet while the House is in session. Then people are temporarily ill or temporarily away from Washington, away from the Capitol. As I said, in the Fascell amendment adopted just a few minutes ago, whether a person voted in person or by proxy is going to show in the minutes of the committee meetings, which will now be public record, and any abuse can be cured in that way.

Mr. KYL. Mr. Chairman, if the gentleman will yield further, I would say to the gentleman I do not think his argument carries equal weight with that of the gentleman from Iowa, who offered the amendment.

Mr. GIBBONS. It is a matter of opinion. I think any abuses in proxies have been cured by amendments previously adopted. I think the Rules Committee has done a very fine job.

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

Mr. Chairman, the committee of which I am a member, the Committee on Rules, which brought this bill to the floor, does not permit proxies. It has never permitted proxies. I might say we get along pretty well.

However, the matter of proxies and the practice of using them in legislative committees has long been with us. The committee gave a great deal of thought and consideration to this. After a considerable amount of effort we brought in the language now before us, which, if adopted, will no longer permit the general proxies. They will have to be specific. We feel that pretty well finishes any abuse of the use of proxies.

As the gentleman from Florida just indicated, the matter of reporting the procedures of the committees would tend to stop the so-called violations by members who are, let us say, dilatory about being in attendance.

Let me say to my friends who are now raising some question about this—and I would hope that they would correct me if this statement is not entirely correct—that our committee received not one single word of testimony over a period of the last 17 months or thereabouts in support of such an amendment as that offered by the gentleman from Iowa. In this matter I am sure Members of the House know we received a great deal of testimony, both in writing and in hearing many witnesses, and generally it was our understanding that the Members of

the House supported control and restriction and limitation on proxies. That is what, of course, the committee has attempted to do, but we have not attempted to outlaw proxies in their entirety, which I think unfortunately would create some real problems.

I hope that the gentleman's amendment will be voted down.

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

Mr. SISK. I am glad to yield to the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD).

Mr. GERALD R. FORD. I suspect my own personal views are based on or predicted on my own experience as a member of the Committee on Appropriations, where proxy voting is never authorized. That committee, in my opinion, operates effectively and does its job without proxies.

On the other hand, I feel that this provision in the bill is a great improvement over the existing situation. You have tightened up. You have limited the utilization of proxies in a committee.

There is one further restriction which I believe could have been included, although the other restrictions do tend to enforce a great improvement. I believe you could have limited a proxy to a single meeting of the committee. That would have voided the specific proxy beyond one single meeting of the committee.

You have made a number of improvements, but a proxy can be carried over under the committee recommendation so long as it relates to the same subject matter or the same issue.

I do believe that every committee, if it gets into the habit or custom of operating without proxies, can do its work without the proxy privilege. The Committee on Rules, on which the gentleman from California serves, operates without any proxy authority. So two of the 19 or 20 committees of the House currently operate without any proxy privileges whatsoever, and I believe both of those committees operate very effectively.

I commend the committee bill. I believe it is a great improvement, but I believe in the long run the House of Representatives and its committees would be a lot better off if we had no proxy voting, period.

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

Mr. Chairman, first I should like to ask the gentleman from California (Mr. SISK), why the Rules Committee does not vote proxies?

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

Mr. GROSS. I yield to the gentleman from California.

Mr. SISK. Of course, the procedures of the Committee on Rules were adopted a long time before I arrived. I accepted the rules of the game when I arrived there.

Mr. GROSS. I believe this is the best recommendation the House could have for the nonvoting of proxies; but go right ahead.

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

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

Mr. BOLLING. I believe I might shed some light on this.

On the occasion of the adoption by the Committee on Rules of its first set of rules, which was not very many years ago, when it brought itself into compliance with the House rule that requires a regular meeting day—which was a very few years ago—the question of proxy voting came up. As I remember, by quite a narrow vote the Committee on Rules decided not to have any proxies. It was a controversial matter. It was decided by a narrow vote.

Mr. GROSS. I am one of those who is convinced that the use of proxies is badly abused. It contributes to nonattendance in committees, and detracts from the proper care in the formulation and approval by committees of good legislation.

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

Mr. GROSS. I yield to the gentleman from California.

Mr. SISK. I well recognize the fact that our committee gets along pretty well, as indicated here, without the use of proxies. As the distinguished minority leader indicated, the Appropriations Committee proceeds without proxies.

However, as we understand it, the majority of the legislative committees of the House do use proxies and they find them to be advantageous. It was felt by the subcommittee that this needed tightening up. As the gentleman knows, we do tighten it up. We feel this will cure any abuse that has occurred in the past with respect to the use of proxies.

Mr. GROSS. I must say to my friend from California that I fail to see where he has done a really good job of tightening up on the use of proxies in the bill which has been submitted.

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

Mr. GROSS. Yes. I yield to the gentleman.

Mr. GIBBONS. May I explain that in the Fascell amendment that was just adopted about 10 minutes go—

Mr. GROSS. All right. I was here when the Fascell amendment was adopted and voted for it. There is some relationship between the voting of proxies and the amendment offered by the gentleman from Florida (Mr. FASCELL), but it is a distant relationship. They are not even kissing cousins when you compare the purport of the Fascell amendment and the voting of proxies. Let us not mix bananas and walnuts and expect to get the proper comparison.

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

Mr. GROSS. I yield to the gentleman.

Mr. HARVEY. I want to say to the gentleman from Iowa that I wholeheartedly agree with him and the other gentleman from Iowa (Mr. SCHWENGEL). Instead of tightening up the rules on proxies, what the committee has done is to simply turn the job over to the staff to go ahead and prepare a little different form of proxy. That is all it means. What we should do is get rid of the proxy.

Mr. GROSS. That is exactly right.

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

Mr. GROSS. I yield to the gentleman.

Mr. SCHWENGEL. I thank the gentleman for yielding.

First I want to get the chairman's attention and remind him that I did appear before the committee and testified on a number of things. Among them was proxy voting. I think, if you will check the RECORD, you will see that that is so. I did appear on the proxy question before the committee.

I also want to say those opposing it are presenting some of the best arguments for the proxy. It will be significantly improving the operation of the Congress. As the gentleman from Iowa said, the present rule incurs inattendant in committees. I think the effect will be improved.

Mr. CLEVELAND. Mr. Chairman, I support the motion of my colleague from Iowa (Mr. SCHWENGEL), which would prohibit voting by proxy. As I pointed out in my remarks yesterday during general debate, in the Committee on Public Works we have for the past 8 years voted on whether or not we would permit proxy voting. I pointed out with pleasure that in recent years the committee vote permitting proxy voting has become increasingly close.

My colleague, Mr. SCHWENGEL, has been a leader in those efforts in the Committee on Public Works.

In the Legislative Reorganization Act of 1967 as reported to this House by the Joint Committee on the Organization of Congress proxy voting was not permitted. I served as a member of that joint committee and in the report we noted that although proxies may serve a useful purpose in permitting Members to go on record when conflicting demands make it difficult for them to be in committee, the evils of the practice outweigh that advantage. The use of proxies discourages committee attendance. It frequently permits the chairman or ranking minority member to control a bill in the face of major "live" opposition.

Our committee report pointed out that you cannot argue with a proxy, a proxy cannot consider an offered amendment, and a proxy cannot compromise. In our report, we pointed out that we cannot vote by proxy on the floor of the House. Yet, a vote in a closely divided committee may be of more significance than the vote of a Member on the floor on the same bill.

I would also like to point out, Mr. Chairman, that under the common law, the voting by a director or trustee by proxy is forbidden. In a sense, we serve as trustees of the political power of the people we represent. Insofar as we are trustees in many respects, I believe that we actually are and should be trustees the voting by proxy is manifestly a breach of such trust.

Mr. Chairman, I urge that today we take advantage of the opportunity before us to rid the House of Representatives of this insidious practice which has so long served to stifle democracy in our committees. We all know the extent to which we rely on our committees. Yet in practice our committees do not always operate by majority rule, "one man, one vote," or even by the will of those present

and voting. I have always resented having my votes in committees overridden by ghost votes. If the House in its wisdom today sees fit to abolish the use of proxies, it will truly strike a vote for good government. It will give the vote to an important group now disenfranchised by our outdated rules—committee members who go to meetings and participate.

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

The question was taken; and on a division (demanded by Mr. SCHWENGEL), there were—ayes 71, noes 54.

So the amendment was agreed to.

Mr. RODINO. Mr. Chairman, I rise in support of H.R. 17654, the Legislative Reorganization Act of 1970, and I commend the Rules Committee bringing this bill before the House for timely action.

During my years of service it has become apparent that changes in certain areas are necessary to keep the procedures of the House responsive to the views of all. While the debate over how far to go in the direction of change will never cease, the key to my support lies in the provisions to update and modernize certain archaic procedures, and to improve the information-gathering resources of the Congress.

I also support, and will cosponsor, amendments to provide for record teller votes, disclosure of record votes in committee, and 3-day conference report layovers. Of particular importance is the amendment to be offered by my distinguished colleague from Massachusetts, the Honorable THOMAS O'NEILL, to record teller votes in the Committee of the Whole. This amendment alone will add great strength to this legislation as it will make sure that our constituents, and indeed our colleagues, will know the true position of Members. This assurance should produce decisions that render a more faithful reflection of the House than the previous situation. Only approximately one-third of the House membership consistently participates in non-record votes, while 85 to 90 percent appears for rollcall and quorum call record votes. Furthermore, the amount of time needed for recording teller votes under the O'Neill amendment will be minimal.

Mr. Chairman, the Legislative Reorganization Act is before the House at a very important time. In an age of instantaneous communication, of fast developing critical events at home and abroad, and of serious public questions concerning the ability of the Congress to cope with new and intense pressures, our determination to improve and modernize the functioning of the House takes on great meaning. Especially to our youth, some of whom we enfranchised just 2 weeks ago, and some of whom deeply question the system, we can say, with the passage of this bill, that we have strengthened representative democracy, and that we have brought about orderly and progressive change at the highest level of the legislative branch of Government.

Mr. MINISH. Mr. Chairman, the measure before the House today, the Legislative Reorganization Act of 1970, is the first major congressional reform bill

to be scheduled for floor consideration in 25 years. Considering the long period of time between reforms, and the sweeping changes which have occurred in this Nation during the past quarter century, this legislation falls short of providing the kind of comprehensive and far-reaching reform necessary if the Congress is to be a truly democratic and responsive institution in the second half of the 20th century.

The legislation, as reported by the Rules Committee, including numerous, albeit modest, changes in House rules and procedures. Almost without exception, these limited provisions do merit support. For example, the bill liberalizes many House committee procedures, increases the availability of information on the Federal budget, expands the Legislative Reference Service, increases staffing for the minority party, and establishes a Joint Committee on Data Processing.

More specifically on the question of committee procedures, the legislation would allow Members 3 days after a bill is ordered reported to file additional or minority views provided they give notice of an intention to do so. It would require notice to the public of committee hearings at least 1 week in advance and permit the minority party at least part of 1 hearing day to present witnesses of its own choosing. Committee reports would be required at least 3 days before floor consideration. In the case of appropriations bills, hearings would also have to be available. The ranking members would be permitted to preside over committee meetings in the absence of the chairman and the chairman would be required to file reports on bills after a request by the committee majority to do so.

A wide range of amendments will be offered in order to strengthen the Legislative Reorganization Act. Many of these proposals, most of which enjoy bipartisan backing, are designed to accomplish the meritorious goal of opening House procedures and activities to public scrutiny.

Among the most important amendments, to which I will give strong support, are the proposal to establish record teller votes, permitting the Clerk to record the names of Members as they pass through teller lines, and the amendments opening committees to fuller public view. The latter includes amendments to open committee business meetings and hearings, and to require the disclosure of all record votes in committees.

Mr. Chairman, we have the rare opportunity this week to provide for meaningful reform of much of the House's activity. Overwhelming support by this body for the above amendments will constitute an important step toward making Congress a more democratic institution.

Mr. RAILSBACK. Mr. Chairman, there is much beauty in the Capitol Building. And there is much beauty in the institution of Congress which is housed therein. But just as decay and deterioration have forced periodic repairs and renovations to the building, we must make repairs and improvements to the Institution of

Congress itself. The last significant reorganization of Congress was in 1946—more than 20 years ago.

My interest in the subject of reorganizing and modernizing the Congress began in earnest with my election to the House of Representatives. I have studied, as have all Members, many of the varied proposals on the subject of reorganization. I have not claimed ultimate wisdom on the subject and I shall be thankful for whatever progress we are able to make in modernizing the Congress. However, I am concerned lest we permit this opportunity to escape without having each done his very best in attempting to make the most meaningful and stimulating reforms in the procedures and operation of the Congress. I think it fair to say that the public at large has been familiarized with the operation of the seniority system and other procedures of the Congress and I believe there would be a hue and cry of "whitewash" over any bill on reorganization which does not deal with the most publicized issues of congressional reform.

Whether it be a rule or a custom, seniority is an issue. A former Member of the House has said:

Even the "law of the jungle" operates on a higher level than the "law" of seniority; the first at least works to assure survival of the fittest; the latter operates only to assure survival of the oldest.

While I do not wish to apply those words to any individual Members, I do think that a valid point is made; and that is that there is no allowance for selection on bases or criteria other than seniority under the system as practiced. There should be a choice which would retain the benefits of experience and length of service, but which would also permit the taking into consideration of other attributes and qualifications. The choice, furthermore, should be made by those individuals who are most familiar with the candidates for committee leadership.

Obviously, the incumbent members of a committee who have observed one another at close range are best able to determine for themselves which of their colleagues on the committee is best qualified to serve as chairman or ranking minority member. One other essential ingredient in selection of committee leaders is the necessity for those leaders to work closely with the party leadership on the floor. Unquestionably, the party leadership should have available to it committee leaders with whom they can work in harmony and cooperation. Thus it is my opinion that we should either in party caucus or by rule change, provide for a modified procedure of selecting committee leaders. I believe that the nominees should be limited to the top three in seniority by party on each committee; that the incumbent committee members should by secret ballot after general debate, elect their own committee leader by party; and that the party leadership be given an affirmative or positive vote and voice in the selection process for each committee.

I also regard the regulation of lobbying as a prime source for attention and I regret that the present bill does not deal with the subject directly. There should

be broadened coverage of those required to register, a more complete disclosure of expenditures, and a transfer of maintenance and publication of registration records to the General Accounting Office. This is an issue that must be met head on. Until meaningful procedures and reforms are imposed, lobbying will remain one of those words which our constituents use with disdain or disrepute. I believe that we can professionalize and legitimize the lobbying function, but this will never come without requiring a more open and public treatment of the subject.

I also regard the existence of unnecessary secrecy as a prime source of concern. It undermines the credibility of Congress in the minds of the public, and in an age of quick and thorough transfer of information by the various media, it is an anomaly. Secrecy undermines the democratic process and saps public confidence in the House as a responsive and effective legislative body. I think the public has a right to know what is happening in Congress and how Members vote on major national issues. I have, therefore, joined in sponsoring a series of antisecrecy amendments designed to record how Members vote on major issues both in committee and on the House floor, to open committee hearings and meetings to the press and public, and to require the availability of committee reports and printed hearings before the final House action on legislation.

I think that the subject of fair and adequate minority staffing of committees was treated inadequately by the Special Subcommittee on Legislative Reorganization. That subcommittee labored long and hard and the hearing record is 453 printed pages and they are to be applauded for their efforts, but the principle of fair minority representation is rendered meaningless by the language making prospective minority staffers subject to being determined to be acceptable to a majority—and I emphasize majority—of the committee. It is not in keeping with the principle of minority representation to permit a veto power by permitting majority vote dismissal of a minority employee. If such protection is felt to be necessary, I would suggest it be in the form of a two-thirds or a three-fourths vote, not a majority vote.

As I remarked earlier this year in a presentation to the Special Subcommittee on Legislative Reorganization, I am hopeful that their efforts will lead to a prompt and effective reorganization in 1970. I said that I certainly hoped that spring House cleaning would have an added meaning this year. I want the House of Representatives, of which I am proud to be a Member, to be respected for its fairness, its representative nature, its openness, and its performance, not just for its bean soup.

Mr. BINGHAM. Mr. Chairman, I wish to join in commending the gentleman from California (Mr. SISK) and the other members of the subcommittee which produced the bill before us. The Legislative Reorganization Act of 1970 contains any needed reforms, and thus deserves passage. Unfortunately, however, the bill leaves to amendment or future sessions of Congress the most

vital areas of congressional reorganization and reform.

The changes this bill does make will, with few exceptions, enhance the efficiency of Congress and encourage the development of more democratic legislative procedures.

The most notable exceptions is section 120, which adds a third clause to rule XX. The proposed new clause would provide that nongermane amendments to a House bill adopted by the Senate could be knocked out on a point of order, unless approved by a two-thirds vote under a suspension-of-the-rules type of debate of 40 minutes.

This procedure would often make it impossible for the House by majority vote to accept an important bill exactly as it was passed by the Senate. Thus, if it had been in effect, it would have prevented swift passage of the vital Voting Rights Act of 1965 and of this year's extension of that act, including the 18-year-old-vote provision.

There is no good reason why the House should thus shackle itself—should prevent itself from working its will on Senate-passed legislation by majority vote.

The main shortcomings of the proposed Legislative Reorganization Act, however, lie in the areas it fails to cover, rather than on the changes it would institute. Notably absent from the many provisions of the bill, for example, is any provision affecting the election of committee chairmen. I will introduce an amendment that would limit the chairmanships of standing committees of the House to 4 years, unless two-thirds of the Members of the House vote to suspend the rules.

The problem of secrecy in the House of Representatives clearly illustrates both the strengths and omissions of the draft bill. Closed committee sessions are a major source of public mistrust of their elected officials. Although more than half of the hearings and meetings of the House committees are open to the press and public, most of the closed sessions are held by major committees. Indeed, the Appropriations Committee holds all of its more than 300 annual meetings and hearings behind closed doors, out of sight of the taxpayers who foot the bill for its actions. The draft bill does provide that committee hearings shall be open unless otherwise determined by the membership, but requires only a majority vote to hold a closed session.

The bill provides that the total number of votes cast in committee for and against reporting a measure by record vote must be announced and included in the report on the bill. Although a useful reform, the lack of requirement that the vote of individual Members be disclosed and the fact that the change applies only to the vote on reporting the bill and not to rollcall votes on amendments vitiates most of the potential effect of the provision. I intend to join with others in proposing an amendment to correct these weaknesses.

Since the House considers most amendments to legislation while meeting as a Committee of the Whole, constituents have no way of knowing how their representatives vote on most amendments. The Gubser-O'Neill

amendment to the reorganization bill to authorize the recording of teller votes if one-fifth of a quorum of Members so demanded is probably the amendment most badly needed to pierce the veil of secrecy that now surrounds so much that this House does.

House-Senate conferences are always closed to the public, press, and other Members of Congress. This bill does not alter the closed-door policy of House-Senate conferences. Whether conferences should be open to the press and public is a difficult and controversial issue, but some reform is clearly needed. Provisions to insure that conference reports will be available for some time before their consideration and disposed of at the prearranged time would help dispel the elements of mystery and surprise that currently envelop the conference committee process.

Although the availability of committee reports and printed hearings of measures before floor consideration is improved by the bill, further reform will still be necessary. The provision that no measure or matter can be taken up in the House unless the report of the committee has been available for 3 calendar days—excluding Saturdays, Sundays, and holidays—is beneficial, but it has too many exceptions and may, in the instance of appropriations measures, prove inadequate.

Other useful provisions in the bill include some provisions for the broadcast in and telecasting of committee hearings, allowing committees to sit while the House is in session without special leave, the institution of a budgetary and fiscal data processing system, the increase in professional staff of House standing committees and fair treatment for House minority staffs, the expansion and upgrading of the Legislative Reference Service into a Congressional Research Service, and provision for a regular annual summer recess.

Mr. HANNA. Mr. Chairman, in the almost 200 years since the Constitution was ratified, the executive branch of the Government and the court system have undergone radical changes, adapting themselves to the changing society in which they operate. Unfortunately, very little has been done in this regard in the third coequal branch of our Government, the Congress. More and more Members of Congress are being frustrated by the antiquated system under which we operate. We must immediately begin to take advantage of the technological advances now available for our use.

As the size of our great Nation has rapidly increased, so has the volume and complexity of the legislator's job. One of the most vital parts of the Legislative Reorganization Act of 1970, presently before this body for consideration, establishes the Joint Committee on Data Processing. This section of the bill will permit committees, the Congressional Research Service, and individual Members to utilize computer technology. I believe this to be a much needed and long overdue development. I commend the authors of this measure for this clear-sighted perception of the vital need of Congress for such assistance.

There are several other reforms I deem

to be extremely necessary. The measure before us deals with some of them.

First, I believe firmly in the need for committee hearings being opened to the public. H.R. 17654 allows for this. It also requires, by amendment, that a record of all rollcall votes in committees be available to the public. The committee record would include how each member voted. Also, proxy voting in committees would be barred by this measure.

Second, the measure permits televising, radio broadcasting, and still photographing of House committee hearings, when authorized by majority vote of the committee. This provision will play a major role in increasing public understanding of the legislative process.

Third, the bill provides each officer of Congress the authority to determine whether prospective employees possess the qualifications required for the positions they are to fill and the authority to remove or otherwise discipline any employee under his supervision. While not abolishing patronage, it establishes long-needed restraints on the system.

Fourth, I have long believed that the Congress should make the General Accounting Office a more effective agent in its overseeing of the operations and expenditures of the executive branch. This measure establishes a budgetary and fiscal data processing system, budget standard classification, and makes the above information readily available to Congress.

Fifth, I have advocated in the past a curtailment of the committee chairman's life-or-death power over bills. The measure presently before us does not deal with this much-needed reform. It was amended to allow three members of a committee to file a written request with the committee chairman, requesting a committee meeting, and specifying the business to be considered. If the chairman does not schedule the meeting within 3 days, the meeting may be scheduled by a majority vote of the committee. In my opinion, however, this is one area in which the bill before us is sadly lacking.

Sixth, the Reorganization Act of 1970 does not deal with committee jurisdiction and amendments to that effect are not being permitted. One further reform I deem of some importance, which would have a significant effect on increasing the efficiency of House operations, would require the House Rules Committee to make its recommendation on a bill on or before 21 days after the bill was reported to it.

There are many other needed reforms that must be adopted by Congress before we can again become the vital and sensitive branch of Government intended by the Constitution.

Uppermost in my mind in this regard is the seniority system. We must learn to utilize more effectively the vigor and enthusiasm of the younger Members of the House. This body must become more receptive to creative ideas from all its Members. It must develop a mechanism and leadership mentality which encourages, instead of stifles, initiative, innovation, and constructive dissent. Failure to realize these reforms will—most certainly—lead to a broadening of the gulf between the leadership of the Congress and the mainstream of American opinion,

represented by the legislators from dynamic districts.

It is indeed ironic and may well be a fundamental fault of our system that those who lead under the seniority system are bound to represent districts which are—by reason of their stability and polarity—slow to reflect the cross currents of American society; while the dynamic areas of America, with their changing attitudes and orientations are unlikely to return the same official to office time after time. The demand for change originates in the dynamic areas whose representatives have little seniority, while the bastions of the status quo seem to be represented by those whose seniority insures them of roles of leadership. Some way must be found to resolve this dilemma. Continued failure to do so will give greater force to charges that the House of Representatives is not representative of the mainstream of American opinion.

I do not believe that the measure presently before us will cure all the ills of the present congressional system of operation. I do believe, however, that the Legislative Reorganization Act of 1970 is a necessary first step toward what I hope will follow: a total and comprehensive modernization of the legislative process. It is in this spirit that I support 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 the 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.

#### GENERAL LEAVE TO EXTEND

Mr. DANIEL of Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks and include extraneous material on the bill H.R. 17654, the Legislative Reorganization Act of 1970.

The SPEAKER pro tempore (Mr. ADAMS). Is there objection to the request of the gentleman from Virginia?

There was no objection.

#### LEAD-BASED PAINT HEARINGS

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

Mr. BARRETT. Mr. Speaker, I wish to announce that the Subcommittee on Housing will hold a 2-day hearing on July 21-22 on my bill, H.R. 17260, and those of other Members of the House, dealing with a Federal program for eliminating the causes of lead-based paint poisoning. Through these hearings the subcommittee expects to ascertain the scope and extent of this problem and to begin devising methods of helping local officials remedy lead-based paint hazards

and, in addition, take steps to prevent the poisoning of thousands of children.

From all reports, the problem of lead-based paint poisoning is extremely widespread. According to an October 21, 1969, article in *Look* magazine:

About 200 kids die from lead every year. Between 12,000 and 16,000 are treated and survive. Half of these are left mentally retarded. Only about one case in 25 is treated. This means that every year, as many as 400,000 kids may be poisoned, half of them ending up with a permanent handicap, like behavior problems or impaired intellectual ability.

And, as the American Public Health Association has pointed out, lead poisoning is basically a side effect of dilapidated housing. In most cases, such poisoning would not have occurred if the Nation had ever achieved its 1949 goal of eliminating slum and blighted housing.

Many cities are taking steps to deal with the problem. Chicago, for example, conducts a mass screening program to identify children who have taken into their system an extensive amount of lead. Baltimore forces landlords to remove all peeling paint and any tight lead paint from chewable surfaces below a height of 4 feet. However, the overwhelming evidence is that a large-scale program, backed by Federal funds, must be mounted in order to prevent thousands of cases of brain damage, which directly results from eating lead-based paint.

The subcommittee expects to hear from the principal governmental agencies involved in the problem, public health officials and medical experts, and the National Committee on Product Safety, which, I understand, has done useful work in this area.

#### CATHOLIC MINORITY IN NORTHERN IRELAND

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

Mr. BIAGGI. Mr. Speaker, the plight of the Irish Catholic minority in Northern Ireland has caused tremendous international concern. Although the problem would appear to be a matter for internal regulation, the current situation has reached such terrible proportions that the United Nations should rightly investigate the matter.

I have urged that the U.N.'s Commission on Human Rights conduct just such an investigation. It is my understanding that that body's Subcommittee on Prevention of Discrimination and Protection of Minorities has been considering such action.

The conditions under which the Catholic minority in Northern Ireland are forced to live, amounts to little more than slavery. Basic human needs in terms of housing and job opportunities are denied. Civil rights for this minority are hardly notable. Their lives are almost completely under the domination and direction of the English Protestant majority.

The British Government, in exercising its national control over the area, has done little more than attempt to keep the peace, and that effort has not been

very successful. They have done nothing to correct the basic problems or even to find out what the Irish Catholic minority are demonstrating against.

I strongly urge my colleagues to acquaint themselves with this horrible situation. Regardless of one's ancestry, he should rightly be concerned with the cause of human rights everywhere. Surely, the need to guarantee every human being the right to life, liberty, and the pursuit of happiness is basic to our country's commitment to world peace and freedom.

Mr. Speaker, I include a letter on this subject at this point:

CONGRESS OF THE UNITED STATES,  
HOUSE OF REPRESENTATIVES,  
Washington, D.C., July 13, 1970.

Her Imperial Highness  
PRINCESS ASHRAF PAHLAVI,  
Chairman, United Nations Commission on  
Human Rights, United Nations, New  
York, N.Y.

YOUR IMPERIAL HIGHNESS: The plight of the Irish Catholic minority in Northern Ireland has caused tremendous international concern. Although the problem would appear to be a matter for internal regulation, the current situation has reached such terrible proportions that the United Nations should rightly investigate the matter.

The conditions under which the Catholic minority in Northern Ireland are forced to live amounts to little more than slavery. Basic human needs in terms of housing and job opportunities are denied. Civil rights for this minority are hardly notable. Their lives are almost completely under the domination and direction of the English Protestant majority.

The British government, in exercising its national control over the area, has done little more than attempt to keep the peace, and that effort has not been very successful. They have done nothing to correct the basic problems or even to find out what the Irish Catholic minority are demonstrating against.

I strongly urge an immediate investigation of the matter. It is my understanding that your Subcommittee on Prevention of Discrimination and Protection of Minorities which has jurisdiction in this area is considering such an investigation. In my mind such action should be undertaken immediately.

Please be so kind as to keep me informed of your activity in this matter and of any action your commission or subcommittee should take.

Sincerely yours,

MARIO BIAGGI,  
Member of Congress.

#### DISTRICT OF COLUMBIA CRIME BILL CONDEMNED BY MORE THAN 50 WASHINGTON LEGAL PRACTITIONERS

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

Mr. EDWARDS of California. Mr. Speaker, on June 23, 1970, more than 50 Washington legal practitioners, including some of the city's leading experts on juvenile law and the juvenile court, condemned provisions of the House-passed version of the District of Columbia crime bill relating to juveniles.

The group said:

"The proposed code does not do the job that is needed to improve the processing of juvenile cases in the courts of the District

of Columbia and to deal with the serious problem of offenses committed by juveniles." It does not provide "even minimum procedural safeguards"; it does not deal with the major problem of the staggering delays in the juvenile process; and it "codifies many outmoded procedures."

The provisions of the House bill "are insufficient to assure the community of prompt processing of cases."

The lawyers singled out for criticism the absence of statutory time limits for the completion of juvenile court proceedings; the provisions transferring larger numbers of juveniles for trial in adult court; abolition of the existing right to trial by jury; and the provisions for confinement of juveniles in adult penal institutions.

They suggest that the proper remedy for the failures of the juvenile system is to "strengthen and improve the courts and correctional institutions" rather than "to label juveniles as adults and assume that this is a solution to juvenile crime."

Signers include Charles T. Duncan, former Corporation Counsel; Mrs. Patricia M. Wald, a member of the President's Commission on Crime in the District of Columbia; Prof. Samuel Dash, director of the Georgetown Institute on Criminal Law and Procedure and chairman-elect of the section of criminal law of the American Bar Association; and some of the city's most prominent juvenile court practitioners.

The following is the complete text of the statement, which I urge my colleagues to peruse carefully before voting on the conference report to be considered shortly by both bodies:

#### STATEMENT OF LAWYERS CONCERNED WITH THE JUVENILE COURT ON THE JUVENILE CODE PROVISIONS OF THE DISTRICT OF COLUMBIA CRIME BILL

We are practitioners knowledgeable in the field of juvenile law. We have either practiced in or studied the problems of the Juvenile Court of the District of Columbia, and are acquainted with the needs of that court. Most of us are familiar with developments in juvenile law both in the District of Columbia and in other jurisdictions.

We are united in our opposition to certain of the Juvenile Code provisions of the House bill presently pending before this Conference Committee. It is our opinion that the proposed code does not do the job that is needed to improve the processing of juvenile cases in the courts of the District of Columbia and to deal with the serious problem of offenses committed by juveniles. Many of the House provisions for a proposed juvenile code can only be considered a step backward to an earlier age. The bill does not provide even minimum procedural safeguards for juveniles coming before the court; it does not recognize or deal with the major problems facing the court; and it codifies many outmoded procedures.

The House bill is directly inconsistent in several key areas with the Model Family and Juvenile Court Act proposed by the Children's Bureau of the Department of Health, Education and Welfare in 1969, and with the Uniform Juvenile Court Act adopted by the National Conference of Commissioners on Uniform State Laws in 1968.

We would specifically like to address our comments to the following issues, which we consider of primary importance:

##### 1. THE ABSENCE OF STATUTORY TIME LIMITS

It is impossible to overstate the need for speedy processing of cases in a juvenile court

We are faced with a drastic rise in juvenile crime, yet there are delays of many months before children come to court for their initial appearance before a judge, and even longer delays before those children are ever brought to trial. Disposition months or years after the crime means that the legal process has little if any deterrent or rehabilitative effect.

The House bill does nothing to alleviate this situation. It requires only that a petition be filed within 10 days of a complaint and that a detention hearing be held the next court day after taking a child into custody. These are insufficient to assure the community of prompt processing of cases and effectuate the right to a speedy trial.

The Senate bill contains reasonable and workable time limits throughout the various stages of a juvenile case. These would establish standards of performance to which the court must adhere. Similar time limitations have proven effective in speeding case processing in other jurisdictions, such as New York, Illinois, and California. They have been recommended by the HEW Model Family and Juvenile Court Act; the ABA Project on Standards for Criminal Justice; the Mayor's Committee on the New Juvenile Facility; the D.C. Court Management Study of the Committee on the Administration of Justice; and the D.C. Crime Commission. We urge you to enact them for the District of Columbia.

## 2. RIGHT TO COUNSEL

Probably the single most important right for any juvenile is the right to counsel. All other rights depend on counsel to assert them. It is doubtful whether a child should ever be considered legally competent to waive counsel.

The right to counsel section in both the House and Senate bills is both unclear and too restricted.

These sections both provide that a child is "entitled to be represented by counsel" at "all critical stages", but do not provide for mandatory appointment of counsel; nor do they define what constitutes a "critical stage." Thus, the present uncertainty and resulting delay in the appointment of counsel would be perpetuated under statutory sanction.

A well drafted code could go far toward eliminating present administrative delays in the appointment of counsel process as well as unnecessary litigation over, the meaning of "critical stage" by articulating a mandatory, non-waivable right to counsel at the outset of the case, prior to the intake officer's first interview with the child. Such a solution has been endorsed by the National Crime Commission and the Judicial Council's Committee on the Administration of Justice.

## 3. TRIAL OF JUVENILES IN ADULT COURTS

The House bill provides for automatic transfer of all juveniles 16 or over accused of certain serious felonies to the adult courts, without a hearing on probable cause as to whether the juvenile committed the alleged offense, and without any hearing on his potential for rehabilitation. In addition, for juveniles accused of other felonies, the waiver age is lowered to 15. The bill puts the burden on a juvenile at a waiver hearing to prove he should not be transferred. No juvenile waived to adult court would ever again come within the juvenile court's jurisdiction, even if acquitted of the charge.

The Senate bill provides that a 16 or 17 year old shall be automatically tried in adult court only if he has once been adjudicated a delinquent and is charged with a second serious offense. It permits waiver of 15 year olds, but it leaves the burden on the prosecutor to establish the need for waiver.

There has been no showing that the adult courts and adult court judges will be better equipped than the juvenile court and judges to handle these cases; that adult correctional institutions are better equipped than

juvenile institutions; or that juveniles of this age will be more amenable to ultimate rehabilitation by being incarcerated with adult criminals in adult penal institutions.

On the contrary, the adult courts are backlogged and the adult penal facilities at D.C. Jail and Lorton are overcrowded, while the District of Columbia now has an effective and secure facility for serious juvenile offenders.

In contrast to both the House and Senate bills, the HEW model act is essentially the same as present District law—16 and 17 year olds shall be tried by the juvenile court unless waived after hearing, 15 year olds cannot be waived, and waiver is only permitted when the court finds no reasonable basis to believe that the child can be rehabilitated before he becomes 21. While the HEW model act is preferable to both the House and Senate versions, the Senate bill is far superior to the House version.

The Juvenile Court is supposed to be primarily concerned with supervision, care and rehabilitation of juveniles. While juvenile court and juvenile correctional agencies have not succeeded in adequately carrying out these purposes, the proper remedy for these failures is to strengthen and improve the courts and correctional institutions. This will have to be done eventually if we ever hope to rehabilitate offenders; and we should concentrate our efforts and our resources toward these ends, rather than to label juveniles as adults and assume that this is a solution to juvenile crime.

## 4. RIGHT TO TRIAL BY JURY

Both bills abolish the existing right to a trial by jury in the Juvenile Court. Jury trial may not be infallible, but the jury is the best fact-finding mechanism our system of justice has been able to devise. In factual disputes as to whether or not a child actually committed an alleged offense he, like an adult, should be entitled to its safeguards.

Retaining the jury right would be consistent with the basic philosophy of juvenile law by giving as much flexibility as possible in juvenile court procedures. The jury right would not always be exercised, even as it is not always exercised now. But at least this option should remain open so that the child, his family, and his lawyer can decide the best procedure for the child in the individual case.

Numerous other aspects of the House bill are also objectionable. Among these are the provisions authorizing the transfer of a delinquent from a juvenile to an adult penal institution without first providing him with the full procedural rights accorded adults; and those provisions authorizing the commingling of juveniles "in need of supervision" with juveniles found to have committed criminal acts.

We therefore urge this conference committee to reject these backward-looking provisions, which are no substitute for dealing realistically with the serious problems of juvenile crime.

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## THE DOGPATCH OLYMPICS

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

Mr. STAGGERS. Mr. Speaker, a news article in the June 28, 1970, issue of the Sunday News, published in Lancaster, Pa., may have more to do with curbing dissension and violence than any legislation we can enact here in Washington. What may seem strange to some people, the article deals with athletics. For athletics implies violence, and just how athletics could curb violence may not be apparent at first thought.

The event described by the Lancaster Sunday News was one of 12 summer conferences sponsored by an organization known as the Fellowship of Christian Athletes. The program is variously designated as a Weekend of Champions, or The Dogpatch Olympics. Let extracts from the Lancaster Sunday News relate the story:

The second annual Summer Conference of the Fellowship of Christian Athletes, held at Franklin and Marshall College this past week, was more of a success than even last year's event, Captain Bill Lewis, Middle Atlantic Regional director announced before he left Lancaster Friday. The FCA staff kept the schoolboys on their toes throughout the four days in scenes such as those (not in RECORD) above where young men get ready for a session on Williamson Field in the Dogpatch Olympics; below they get a demonstration of golf shots from Jim Hlskey, a former pro tour golfer who now devotes much of his time to the FCA, and a good old-fashioned tug of war typical of the competition that went on all week. Breaks were held during the day for "huddles" in which the boys discussed their attitudes and feelings to God and Faith, and the nights were taken up with inspirational meetings in Hensel Hall which was packed four straight nights by the boys and the staff and towns people. An estimated attendance of 500 was present for the Conference from a six-state area.

The purpose of the Fellowship of Christian Athletes is: "To confront athletes and coaches, and through them the youth of the nation, with the challenge and adventure of following Christ and serving him through the fellowship of the church and in their vocations."

The Conference is over. And the memories will linger. For some of the 400 boys there may be no memories at all except the fun and the association they had with the athletes. Many of these kids might never have had that except for the FCA.

"Others, many of them, we suggest, got more than just fun and associations out of the Conference. . . . For some it may well have been the start of manhood. And the words they spoke and heard here will be on their hearts forever.

Bill Lewis, the leader of the conference, is a Naval Academy graduate, 1944. He was a No. 1 golfer, No. 1 squash player. He carries five battle stars from World War II. In 1968, after 24 years service, he resigned as a captain in the Navy to become Middle Atlantic Regional Director for the FCA.

Another Naval Academy graduate, now an officer in the FCA, is Bruce Bickel, class of 1966. He was varsity quarterback in 1965; awarded the Thompson Trophy, 1966, given to graduating senior who has done most to promote Naval Academy athletics; "Midshipman of the Year 1966," chosen by Annapolis Jay-

cees; president Naval Academy Christian Association 1965-66; battalion commander during his senior year; two tours in Vietnam, five air medals, bronze star, Army commendation, Purple Heart. He resigned from the Navy in 1968 to take up FCA work.

Another report outlines briefly an athletic conference at the Naval Academy:

Enthusiastically supported by the Superintendent, Admiral James F. Calvert, the midshipmen FCAers hosted 68 athletes and coaches from FCA groups in Washington and Baltimore 14-15 March 1970.

LCDR Tom Lynch, officer representative of the Naval Academy FCA, fullback and captain of the great Navy team under Roger Stauback (himself an FCAer down in the Dallas region) worked with the midshipmen leadership to bring this moveable feast together.

Bobby Mitchell, ex-Washington Redskin, Tom Matte, Jim Ward of the Baltimore Colts, Don Shinnick, new defensive coach Chicago Bears, and Alan Pastrana, Denver Broncos, freely gave their time to make it a success.

Inspiration mixed with perspiration provided a tremendous time of moral growth and mutual understanding for the inner city youth and the midshipmen. Tomorrow's leadership was immeasurably strengthened with those winning qualities which will insure that the last best hope of earth will never die.

Mr. Speaker, I consider this news of the highest importance in fighting the evils which presently beset us. It ought to be broadcast universally.

## CAPTIVE NATIONS WEEK—1970

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

Mr. ANNUNZIO. Mr. Speaker, July 12 through July 18 this year marks the 11th annual observance of Captive Nations Week.

In Chicago the week-long observance will end on Saturday, July 18, with a huge parade on State Street in which many thousands will march in order to express their empathy and support for the unfortunate men and women still enslaved in the captive nations of the world.

I want to commend Mr. Viktors Viksins, able chairman of the Captive Nations Friends Committee, which is coordinating the events scheduled in observance of Captive Nations Week in Chicago. My congratulations go also to all of the hard-working members of this Committee, as well as to our city officials, to our civic and business leaders, and to all those who are participating in this observance for their meaningful contribution to this annual commemoration of Captive Nations Week.

It is certainly appropriate that we in the free world, who have enjoyed the precious rights of freedom and self-determination, do all that we can to give hope and support to those captive nations that aspire to national independence. By so doing we give tangible evidence of our unrelenting opposition to oppression of those nations still enslaved by the dismal tyranny of communism.

The list of captive nations is long in-

deed and today includes: Armenia; Azerbaijan; Byelorussia; Cossackia; Georgia; Idel-Ural; North Caucasia; Ukraine; Far Eastern Republic; Turk-estian; Mongolian People's Republic; Estonia; Latvia; Lithuania; Albania; Bulgaria; Siberia; Croatia; Slovenia; and so forth; in Yugoslavia; Poland; Rumania; Czechoslovakia; North Korea; Hungary; East Germany; Mainland China; Tibet; North Vietnam; Cuba.

Millions of Americans who trace their origin to the captive nations, and to other lands, join each year during this special week to express support for policies which will hopefully lead to freedom for the captive nations. I am pleased to have the opportunity to join in this observance for I feel our commitment to human rights and national self-determination compels us to dedicate ourselves to the cause of freedom wherever it is denied and to support efforts to liberate the captive nations of the world.

At this point in the CONGRESSIONAL RECORD, I want to include the text of House Resolution 393, marking the 11th anniversary of Captive Nations Week, which was adopted in the 66th General Assembly of the Illinois House of Representatives, as well as the text of Mayor Richard J. Daley's proclamation on the commemoration of Captive Nations Week in Chicago. The text of the resolution and proclamation follow:

## HOUSE RESOLUTION No. 393

Whereas, Since 1918 the forces of communism have, through direct and indirect aggression, subjugated the national independence of Hungary, Poland, Ukraine, Slovakia, Czechoslovakia, Lithuania, Latvia, Estonia, Rumania, White Ruthenia, Bulgaria, East Germany, mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Tibet, Cossackia, Turkestan, North Viet-Nam, Serbia, Slovenia, Croatia and others; and

Whereas, These captive nations have been forcibly deprived of the right of self determination which is a basic right of all free men; and

Whereas, In 1959 the United States Congress and President Dwight D. Eisenhower recognizing the importance of keeping world attention focused on the plight of these peoples, designated the third week in July as Captive Nations Week; and

Whereas, 1970 marks the 11th anniversary of Captive Nations Week; therefore, be it

Resolved, by the House of Representatives of the seventy-sixth General Assembly of the State of Illinois, that we support those people of the captive nations in their unending quest for liberation; that we commend those in the free world who are striving so that others may also enjoy the blessing of freedom and democracy; and that this resolution be spread upon the journal of this House as a reminder that no man is free until all men are free; and be it further

Resolved, That a suitable copy of this preamble and resolution be forwarded to the Captive Nations Committee.

## PROCLAMATION

(By Mayor Richard J. Daley)

Whereas, the imperialistic policies of Russian Communists have led, through direct and indirect aggression, to the subjugation and enslavement of the peoples of Poland, Hungary, Lithuania, Ukraine, Czecho-Slovakia, Latvia, Estonia, White Ruthenia, Rumania, East Germany, Bulgaria, Mainland China, Armenia, Azerbaijan, Georgia, North Korea, Albania, Idel-Ural, Serbia, Croatia,

Slovenia, Tibet, Cossackia, Turkestan, Slovakia, North Viet Nam, Cuba and others; and

Whereas, the Congress of the United States by unanimous vote passed Public Law 36-90 establishing the third week in July each year as Captive Nations Week and inviting the people of the United States to observe such week with appropriate prayers, ceremonies and activities expressing their sympathy with support for the just aspirations of captive peoples for freedom and Independence; and

Whereas, the City of Chicago is linked to these captive nations through the bonds of family, since numbered among the people of Chicago are hundreds of thousands of our citizens who through nativity or ancestry treasure the heritage which endowed them with the culture and industry which are theirs; and

Whereas, these nations have been made captive by the imperialistic, aggressive and heartless policies of communism; and

Whereas, the peoples of these communist-dominated nations have been deprived of their national independence and their individual liberties; and

Whereas, it is appropriate and proper to demonstrate to the peoples of the captive nations the support of the people of the City of Chicago for their just aspirations for freedom and national independence; and

Whereas, the people of Chicago, as do all the people of the United States, want for the peoples of the world the same freedom and justice which is theirs:

Now, therefore, I, Richard J. Daley, Mayor of the City of Chicago, do hereby designate the week beginning July 13, 1970 to be Captive Nations Week.

I urge the people of Chicago to join in the programs arranged for observance of the occasion and I urge all of our churches, our educational institutions and all media of communication to observe the plight of the communist-dominated nations and to join in support of the just aspirations of the people of the captive nations.

I especially encourage everyone to concretely demonstrate his interest in the people imprisoned and in the captive nations by their attendance at or participation in the parade to be held on State Street on Saturday afternoon, July 18 at 12:00 Noon.

Dated this twelfth day of June, A.D., 1970.

RICHARD J. DALEY,

Mayor.

#### STOP CHARGING THE AMERICAN TAXPAYER TO SUBSIDIZE OPPRESSION IN SPAIN

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

Mr. LOWENSTEIN. Mr. Speaker, the two most talked about gaps of our day—the generation gap and the credibility gap—open over the same breach of faith.

It is obvious in talking to college students on campuses around the country that their estrangement from their elders and their alienation from the political system are due, more than anything else, to the failure of our actions, at home and abroad, to square with our professed ideals.

It is of course in our foreign policy that these gaps yawn the widest, and in fairness to those who make it it must be said that this is largely due to the fact that Machiavelli's Prince is still the essential handbook on how to play the game of international politics.

Ideals and idealists have fared badly in a system of competing Nation States in which the ultima ratio regum is not a

court of law but the field of battle. Indeed, it has been argued by the school of foreign-policy realists in America—Reinhold Niebuhr, Hans Morgenthau, George Kennan, Walter Lippmann, and Kenneth Thompson—that the moralistic and idealistic strain in our foreign policy has been responsible for many of our failures, both politically and, paradoxically, morally.

The Vietnam war is a tragic case in point, where a moralistic, crusading opposition to an indiscriminately defined communism has resulted in the greatest political and moral debacle in American diplomatic history. As John Kenneth Galbraith wrote recently:

In the past there has been genius of a sort in our foreign policy. It has arranged defeats in circumstances where victory was not possible and was not needed.

So we acknowledge the tragic and ironical nature of international politics and recognize that a wise and effective foreign policy cannot be conducted on the basis of abstract moral principles.

We have learned that we cannot make the world safe for democracy, but it is something more than a paradox of politics that, having set out to do so, we wind up as the patron for some of the most undemocratic and reactionary regimes in the world. It is the fact that we have freely chosen this role, that there is no compelling reason of national security that forces us to do so that disillusion young, and not so young, Americans about their country's foreign policy.

Politics make strange bedfellows, and international politics makes the strangest of all; but it is hard to conceive of any reason, short of political nymphomania, to explain why we are so anxious to jump into bed with regimes as disreputable as the Spanish, Greek, or Brazilian dictatorships, for example.

It is, of course, a different obsession that accounts for our affection for right-wing dictators: the almost pathological fear of what might follow their fall, the incredible notion that somehow the defense of democracy at home depends on the survival of dictatorship abroad.

These thoughts come to mind as the Nixon administration prepares to flout our democratic ideals as well as our national interest by renewing the agreement with the Franco dictatorship through which we have operated air and naval bases on Spanish soil for the last 17 years.

All such decisions are weighed in terms of costs and benefits, and we should be grateful to General Franco for weighing the scales so heavily in favor of costs that it will be extremely difficult for the Pentagon and its allies in the civilian bureaucracy and in Congress to obscure the fact that the benefits are not anywhere near commensurate.

According to some reports, he is angling for a security commitment that would obligate the United States to defend Spain in the event of an attack. Failing this, he reportedly is demanding massive military assistance.

It is difficult to believe that the diplomatic reporting of the Spanish Embassy here is so bad that General Franco could believe that two-thirds of a Senate almost fully recovered from an earlier case

of "pactomania" could be brought to approve a security pact with Spain.

It is also hard to believe that the Franco government would want to risk running the senatorial gantlet with a formal treaty when through the present executive agreement and the nature of the relationship that has grown up around it they have us propping them up anyway. In the words of an American military spokesman in a memorandum to the Spanish Government:

The presence of American armed forces in Spain constitutes a more significant security guarantee to Spain than would a written agreement.

Since the only threat to the security of the Franco dictatorship comes from its own people, one can only wonder what such a guarantee obligates us to do. Newspaper reports in June 1969 of joint United States-Spanish war games designed to put down internal rebellion provide a pretty good hint.

Former Spanish Foreign Minister Castiella was seeking an explicit treaty commitment that would have obligated the United States to defend the Franco regime against both external and internal attack. He was also asking for a large increase in military and economic aid—estimated at \$1 billion over a 5-year period—at a time when we were facing balance-of-payments problems and cutting back on foreign expenditures.

Since the negotiations were deadlocked when Sr. Lopez Bravo replaced Sr. Castiella at the foreign office last October, it is hard to believe the Spaniards are still asking for something that no administration would think of submitting to the U.S. Senate in the wake of Vietnam.

More reliable, because more plausible, are reports that Spain is now pegging its price much lower and putting the emphasis on scientific, educational, social, and economic aid.

Whatever the price, it is too high for the benefits received from the bases and the liabilities incurred from our association with the Franco regime.

The benefits, even on the narrowest calculation of strategic necessity, are minimal at best. They certainly do not argue for adding to the \$1.3 billion we have provided in military and economic aid since 1953.

The airbases, primarily at Torrejon and Zaragoza, and the naval base at Rota are simply not essential to our security. They are, if anything, marginally useful militarily and seriously damaging otherwise. Only those with a bureaucratic vested interest in the operation of these bases and the relationship between the Franco dictatorship and our Government that results from it could fail to acknowledge this fact.

Changes in weapons technology have rendered bases that were designed for B-47's in 1953 obsolete in an era of U.S.-based and submarine-based missiles. Surely the C-5A transport—if it has any utility—has made the bases less of a logistical necessity for deploying troops in Europe. Surveillance satellites have reduced the need for foreign electronic spy stations.

Moreover, since the 1966 Palomares incident, which to date has cost us 232,791 man-days of effort and over \$10 million,

the Air Force has removed from Spain its stockpile of nuclear warheads; and bombers armed with nuclear weapons are barred from flying over Spanish territory.

The Strategic Air Command has long been gone from the base at Torrejon, and the other three leased Spanish airbases are being phased down to a standby basis. There has been a temporary increase in activity at the Zaragoza base in connection with the evacuation of Wheelus Air Force Base in Libya, but military spokesmen have said that will taper off when that evacuation is completed.

Of the 4,500 American sailors and civilians stationed at the Rota naval base, the 1,000 who are involved in supporting Polaris submarine squadron 16 do so from a tender ship that is not tied to Rota. They could be stationed elsewhere, Turkey for example.

The Rota base is defended as essential to the maintenance of Polaris subs, but the operation neither depends on a Spanish base nor is it saving enough money to justify its retention.

That the Spanish bases are not vital to European security is suggested by the fact that our European allies are unwilling to have Spain become a member of NATO. As the Washington Post put it:

If the use of Spanish soil should become necessary for the defense of Europe, let the European countries take the lead in adjusting their relations to Spain. The United States should not be trying, even in an indirect way, to sneak Spain into NATO under our wing by a private bilateral deal.

As if the strategic irrelevancy were not enough, there is the further question of why we should have to pay for something that is more important to Spain's defense interests than it is to our own. We are a "helpless giant," in the President's phrase, but the reason is because we have let dictatorial Lilliputians like Franco, Thieu and Ky in Vietnam, and the Greek and Brazilian juntas tether us to their unpopular regimes and make us pay heavily in money and national prestige, not to mention moral capital, for the dubious benefit of having the connection.

The argument is sometimes made that the bases are a useful device to keep Spain in the Western camp, that ideologically amorphous grouping called, with increasing reliance on misleading euphemism, the "free world."

Sr. Lopez Bravo himself was quoted in the Christian Science Monitor last January 6 as threatening that Spanish neutrality might result from the failure to renew the bases agreement. A Monitor editorial called this blackmail, and said:

It indicates how low an opinion Spain has gained over the years since Washington has been propping up the Franco regime.

The editorial concluded:

It is hard to see why, if Spain threatens to go neutral unless briefed, Washington should not let it do just that. We doubt if, with the present development of weapons, the Spanish bases are of much worth anymore. But more important, Foreign Minister Lopez Bravo's threat is too blatant to put up with.

In any case, the Spanish Foreign Minister has already called for a Mediter-

anean for the Mediterraneans and has asked for a withdrawal of both the American and Soviet fleets. One wonders if what he wants is for the United States to pay for the privilege of maintaining a naval base so none can use it.

Meanwhile, the Spanish Government has established consular and commercial relations with Poland, Rumania, and Hungary, entered into maritime and commercial agreements with the Soviet Union, and in 1968 and 1969 imported more Soviet goods than she exported to the U.S.S.R. In 1969 she opened Las Palmas harbor in the Canary Islands to Soviet fishing trawlers for provisioning and fueling. Sr. Lopez Bravo's recent "stopover" in Moscow probably presages even better relations in the future.

All of this should be welcomed as providing the occasion for what the Monitor editorial called Saying good-bye to Franco. We have borne the Spanish albatross throughout the postwar years at great cost to our reputation as well as our pocketbook. If it now chooses to fly away, we might wisely breathe a sigh of relief.

Instead, we seem almost eager to find some way, some excuse to continue to support the Franco government against our own best interests and against the best interests of the Spanish people. The guns and planes that we have provided General Franco have been used and will be used not to fight Russians or Chinese, but to intimidate Spaniards. His grip on power is reinforced by armored personnel carriers, machine guns, ammunition, and helicopters paid for by American taxpayers who watch their own social needs go begging for want of money.

This body passed a resolution not long ago that proclaimed our devotion to free elections in Vietnam even at a price of uncounted American lives and dollars. If we care so deeply about free elections, why is our devotion so totally hidden where we might help bring about free elections by withdrawing our troops and saving our money?

We continue to infuriate and aid in the repression of the democratic elements in Spain that are the best hope for her future. What conceivable consideration could justify Secretary Rogers' snub of the moderate democratic opposition during his recent Madrid visit? Their request to meet with Mr. Rogers was rebuffed in a curt note that contrasted dismally with German Foreign Minister Scheel's reception of these same men on his visit not long before.

Many of these democratic leaders are extraordinary men like Professor Enrique Tierno Galvan and Carlos de Zayas, men known throughout the western world for their courage and compassion, talented men dedicated to their country and to freedom through decades when it has not been easy to sustain such dedications. They represent a broad spectrum of views on economic and political questions, but they united to draft a memorandum for Mr. Rogers that warned that agreements about the future of Spain cannot be viewed as valid if they are not accepted by the Spanish people, acting through a democratically elected government.

The memo pointed out that NATO membership, the proper way to assure

Spain's defense, is impossible unless Spain scraps its authoritarian institutions, and institutes free elections, political parties, and free trade unions. I am inserting this statement in the RECORD.

The 114 signers of this memorandum have been rounded up for questioning and fined from \$357 to \$1,428.

One of the leaders of this group, the brilliant and distinguished Count of Motrico, Jose Maria de Arellaza, has had his passport confiscated and cannot leave the country. What a summary it is of the policies of the Spanish Government that a conservative monarchist who served that Government as its Ambassador in Washington, Buenos Aires, and Paris cannot now be allowed to leave Spain. Will we next be told that the Count of Motrico is also part of the international Communist conspiracy?

The U.S. Government has not been so hostile to Spanish democracy in at least 15 years, says a letter I have just received from one of the brave men who signed the memorandum.

It is in fact the U.S. Government that is responsible for the increased repression against the moderate opposition here.

If this policy of our Government is designed to facilitate the renewal of the bases agreement, it makes no sense at all. What do we get for the terrible price we are paying? And if it is not designed to facilitate the renewal of the agreement, it makes even less sense. For then we must assume we are doing these terrible things because we prefer oppression to freedom in Spain.

It remains to be noted that the administration has not discussed the question of the Spanish bases with the Senate Foreign Relations Committee for more than 2 months. The State and Defense Departments have doubtless concluded that it would be a tactical error to bring a new agreement to the Senate, where at least the elected representatives of the American people could vote on it.

So instead we see the same procedure employed in dealing with Spain as is being used in dealing with Greece, where we are similarly determined to continue aiding a dictatorship against its people. The administration has been quietly sending jet planes, medium tanks, and 155 millimeter howitzers to the Greek junta despite the embargo on heavy arms shipments to Greece.

So again, the constitutional prerogatives of the Congress are eroded and eroded, and by this dangerous procedure, stupid and damaging policies are pursued. I want to serve notice today that many of us in Congress, of both parties, are determined to change the whole appalling strategy of putting the hand of the United States in the glove of ugly dictatorships, of spending tax dollars badly needed at home to prop up repressive regimes abroad.

This strategy has borne rotten fruit all over the world, most disastrously in Vietnam, and those capable of learning from the past, to paraphrase George Santayana, will not permit their country to be condemned to repeating it.

The conscience of this country must cry out in anguish against our continuing to subsidize this tired dictatorship even as it deepens the oppression of its own

people. Why do we pay foreign governments to damage our national interests? Can even the richest nation in the world afford such a policy forever?

(NOTE.—Given to Mr. William C. Rogers, Secretary of State of the United States of America, and to Mr. Gregorio Lopez Bravo, Minister of Spanish Foreign Office)

MADRID, MAY 1970.

(1) Highly qualified and representative sectors of Spanish public opinion cannot agree, assuming that U.S. bases in Spain are indispensable for western defense, that the Facts concerning them, should be renewed in whatever manner, without the consent of the Spanish people.

The consent of the Spanish people is an indispensable condition, in our opinion, for any bases agreement to be legitimate, and to remain a legal act for the future. Nor can we agree to a renewal, unless the U.S. obligates itself effectively, and with the approval of its Senate, to repel automatically any aggression undertaken against us, by any country or bloc, because of the existence of the bases in Spanish territory.

(2) If Spain were part of NATO, as are other countries in Europe with American bases, there would be no doubt about the obligation of defense on the part of the U.S. and the armies of NATO, into which the Spanish armed forces would be integrated at all levels. But the obstacle to joining NATO, as with the Common Market, is that our political institutions would have to meet the following requirements:

(a) The adoption of effective guaranties of individual and group rights, including those of different regions; and the granting of a broad amnesty for political prisoners.

(b) The establishment of universal suffrage—free, secret, and direct—on the municipal, regional, and national level.

(c) The recognition of political parties to act as a channel for ideological differences, within legal limits.

(d) The existence of a freely elected Parliament which legislates in accord with public opinion, and which controls the work of the government.

(e) Free trade unions so that employees and workers can defend their respective interests.

(3) The present rulers have repeatedly and publicly recognized that conditions in the world and in Spain, as well as the strategy of the great powers, have changed substantially since 1953. Before such evidence, the democratic opposition, identifying itself with the country's wishes that Spain cease to be in a position of inferiority with respect to her national security, finds no excuse to justify delay in democratic evolution. Such an evolution, aside from its intrinsic benefits, would, by putting us on a level with the political institutions of the West, provide us with the fundamental benefit of being able not to participate in pacts or agreements which, by their nature, could becloud our prestige and which would, in any event, increase the risk of attack without at the same time covering adequately our national defense needs.

#### VA HOSPITALS

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

Mr. WOLFF. Mr. Speaker, the Director of the Brooklyn VA hospital noted a 1970 funding deficit of \$3.1 million. Over \$143,000 was badly needed for food and medical supplies. The hospital was lucky to survive. Many patients may not be so lucky.

What are our national priorities and where do we place the value of human

lives? People talk about bailing out Lockheed Co., to the tune of \$350 million because it is a sick company. But there are sick veterans and we are not adequately funding hospitals to take care of them.

The Department of Agriculture provides \$135,000 to study bee genetics in Louisiana. And we should be mature enough to really know about the birds and the bees. Yet, every veteran in our VA hospitals feels the sting of inadequate hospital funds.

We can waste more than \$600 million on a defense project to train birds, yet ignore patients' needs. It is about time we set ourselves straight. We must realize we are offering nothing to men who have given this Nation everything.

#### FORT SNELLING SESQUICENTENNIAL

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

Mr. MACGREGOR. Mr. Speaker, this is the year of the sesquicentennial of Fort Snelling, Minn. A summer-long celebration is to be held at this beautiful site which commands the confluence of the Mississippi and Minnesota Rivers. The fort has been under restoration for the last few years by the State of Minnesota Historical Society and an imposing edifice has resulted.

The presence of the fort and its garrison of regular soldiers from 1820 to approximately 1850 contributed substantially to the early development of our country. Yet it was a peaceful fort. Historian Marcus Hansen records:

Its history was not made by the rifles and sabers of soldiers; the axe and plow of the pioneer who worked in safety beneath its potential protection have left their history upon the landscape of the great Northwest.

From the Civil War until World War II, Fort Snelling served as an Army Training Post and Induction Station. Then, after housing the Veterans' Administration for several years, it reverted to the Army again. Now it is home for almost 5,000 members of the U.S. Army Reserve.

The fort is in my congressional district; the other day I participated in ceremonies to signal the beginning of the sesquicentennial celebration. Over 2,000 U.S. Army Reserve troops conducted a most impressive review. Additionally, one Army Reserve Unit, the 329th Base Post Office of the 88th U.S. Army Reserve Command, by virtue of special authority granted by the Post Office Department, hand-entered in one day, a commemorative cancel and cachet on over 10,500 letters which have now been delivered to addresses around the world. Soon, to mark the exact date of the laying of the fort's cornerstone, there will be issued a special U.S. postage stamp.

These events are worthy of the attention of all Americans. They show effective cooperation by several government echelons and agencies in a commendable effort to preserve for generations an important historical monument. They show tender respect and love for our heritage.

And they provide one more example in history of peace resulting from strength.

#### HEARINGS ON PLYMOUTH-PROVINCETOWN CELEBRATION COMMISSION

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

Mr. JACOBS. Mr. Speaker, I would like to announce that Subcommittee No. 4 of the Committee on the Judiciary has scheduled public hearings to be held July 22, 1970 at 9:45 a.m. in room 2237, Rayburn House Office Building, on the following proposal:

S. 2916, and related measures, to establish the Plymouth-Provincetown Celebration Commission.

Those wishing to testify or to submit statements for the RECORD should address their requests to the Committee on the Judiciary, House of Representatives, room 2137, Rayburn House Office Building.

#### CHARGE THAT SOVIET RUSSIA HAS INITIATED NEW SS-9 SITE CONSTRUCTION AS DIRECT RESPONSE TO OUR DECISION TO DEPLOY MIRV'S

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

Mr. ARENDS. Mr. Speaker, it has been my privilege to serve on the Armed Services Committee since its inception. While I am by no means an expert on our national defense, I do have some knowledge of our defense plans and posture and some knowledge of the defense plans and posture of Soviet Russia.

It has been charged, Mr. Speaker, that Soviet Russia has initiated new SS-9 site construction as a direct response to our decision to deploy MIRV's. That is not true. It could not possibly be true.

In the first place, our decision to develop and deploy MIRV's was made several years ago. It was not made this year, nor last year. It was made by the previous administrations.

I am not critical of the decision. I personally think it was a sound one. But let us not mislead the American people and try to make it appear that a recent decision with respect to MIRV's stimulated the reported SS-9 ICBM site construction by Russia.

On April 20 at the annual luncheon of the Associated Press Secretary of Defense Laird said:

In the 1965-67 time period, the United States decided on a level of nuclear forces, including MIRV's, which was deemed adequate to preserve our deterrent posture for the threat of the 1970's which was projected then. No basic change has been made in the force level decisions established in the mid-1960's.

In continuing the MIRV and ABM programs, we are simply going ahead with programs on which our deterrent policy was formulated by previous Administrations even before the current momentum of Soviet strategic programs became clear.

In the second place, Mr. Speaker, in order for us to detect the SS-9's of Soviet Russia as early as we did, the Soviet decision to develop and deploy the SS-9

would have to have been made long before our MIRV deployment.

There is another point which I think should be made clear. In contrast to the Soviet MIRV, the U.S. MIRV program poses no threat to hardened ICBM's. It does not have the combination of accuracy and warhead yield necessary to give us a first-strike capability or counterforce capability against hardened missile sites. Secretary Laird made that point emphatically clear in his testimony before our committees.

Let us not mislead the American people. It is grossly misleading to associate the Soviet SS-9 program with our MIRV program. Our program, on the one hand, is not provocative and presents no threat to the credibility of the Soviet deterrent force. On the other hand, the Soviet SS-9 program poses an obvious threat to our Minuteman force because of its very large yield.

One can be critical of our defense program if he wishes. But I would hope that the criticism would be based on facts, and I would hope that it is not politically motivated.

#### THE MILITARY'S PUBLIC INFORMATION SERVICES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. WILLIAMS) is recognized for 25 minutes.

Mr. WILLIAMS. Mr. Speaker, on Monday, July 6, 1970, the distinguished gentleman from Wisconsin (Mr. REUSS) told this body that "some of the public affairs activities" within the Department of Defense appeared to him "to violate the ban on propaganda in the Defense Appropriations Act."

He charged that within "the Defense Department's \$40 million-a-year public affairs juggernaut—propaganda and huckstering continues unabated."

He criticized annual joint civilian orientation conferences in which "leading representatives of the educational, business, labor, religious, professional and industrial communities" are given an "8-day cross-country tour of military installations" and ships at sea with "briefings and demonstrations all along the way." Yet, the closest he came to substantiation was to speculate thusly:

Somewhere in the course of all this activity there surely must have been something which fits into Webster's definition of "propaganda."

Mr. REUSS moved to punctuate his slanted sarcasm and innuendo by quoting Senator WILLIAM FULBRIGHT as saying "Popular spots to visit were Las Vegas, Hawaii and Florida" during what Mr. REUSS described as "2-day free tours for 'civic leaders'" under the Air Force civilian distinguished visitor program; a program designed to acquaint these "civic leaders" with the Air Force "mission and capabilities."

What was left unsaid, obviously because it would defeat the innuendo of sunshine, fun and games at plush vacation spas, were such critical facts as these: At Las Vegas, is Nellis Air Force Base, which includes the Tactical Air Command Training Base, the hub of the F-111 training program, and one of the

biggest factual gunnery ranges in the American defense system. In Florida are Eglin Air Force Base with its weapons research and development center, and Patrick Air Force Base with its eastern missile launch test base and support facility for Cape Kennedy. Hawaii, of course, is the major control point for all U.S. defense activities in the Pacific, including the headquarters for the U.S. commander in chief for the Pacific, and those for the Pacific commander of each of the services.

The gentleman from Wisconsin was similarly unhappy about the Navy's guest cruise program and against what he lumped together as, "films, speakers, radio and TV programs, and miscellaneous effluvia" which he said emanated "from the Defense Department and the various services."

By implication, he criticized the fact that "anticommunism is a frequent theme of these public affairs films," and that "films of the Vietnam war have become popular." He said that "high-ranking military officers apparently spend a lot of time making speeches," and implied concern that the Army, Navy, and Air Force supplied radio and television stations with programs and spot announcements which told the public of their missions.

To these things, I would offer the following thoughts:

The reason for films relating to anti-communism and the Vietnam war would seem quite obvious in view of the fact that communism is the enemy that we are struggling to keep from gaining control of Southeast Asia and the Middle East.

It is quite understandable that when a group of taxpayers wants to learn about the Military Establishment it seeks to do so by listening to high-ranking military officers, even as a group of corporate stockholders seeking to learn about its corporation seeks to listen to high-ranking corporate officers.

It is not only understandable that the Department of Defense and its various services turn to the broad popular public media of radio and television to help disseminate their stories to the taxpaying public, it is essential and it is proper. In this pursuit, the taxpaying public gains in several ways: It gains vital information on a mass basis, the broadcast time costs the taxpayers nothing; it constitutes the most economical manner in which the public can be informed by the military about the military. In accordance with the Federal Communications Act, administered by the Federal Communications Commission as provided by the will of the Congress, radio and television stations present these programs and announcements within the allocation of "public service time" and, therefore, at no charge to the military services which, in turn, means no charge to the taxpayers.

In such pursuit, therefore, the Public Affairs Office of the Department of Defense is acting in the same proper and necessary vein as its counterparts in other departments of the executive branch. For example: HUD Public Service announcements advise citizens of their rights to fair housing and equal

opportunity and how to get Government insured loans; HEW announcements advise citizens of their rights, their benefits under social security, medicaid, and welfare programs; Agricultural Department announcements give advice on nutrition and how to qualify for food stamps, and OEO announcements recruit VISTA volunteers and welfare recipients. Significantly, Mr. REUSS mentioned none of these activities on the part of these other departments and agencies. After expounding on his undocumented theme of Defense Department "propaganda, hucksterism, and flackery conducted at public expense," Mr. REUSS presumed to offer what he defined as "a workable guideline." It was this:

If the information is made available to the public only in response to an unsolicited request, the activity is legitimate. But if films, speakers, radio and TV programs, and the like are actively promoted, the requests from the public are actively solicited, then the activity constitutes propaganda and the prohibition in 601 (of Public Law 91-171, December 29, 1969) is being violated.

I sharply disagree with the gentleman from Wisconsin, not only upon his premise, which I consider detrimental to the public interest, not only to his gratuitous "guideline" of what is "legitimate" information, which I consider unrealistic; but I sharply disagree with the manner and approach of his unsubstantiated accusations which I consider grossly unfair and misleading.

I believe, in all respect, that all of us in the Congress should be gratified that, under the present administration of the Department of Defense, "managed news" is no longer the cynical, pragmatic order of things that it was under the two previous administrations. I believe that all of us should be gratified that, under President Richard Nixon, Secretary of Defense Melvin Laird has gone to great lengths to end the policy of "managed news"; to declassify what never should have been classified and withheld from the general public and, as Mr. Laird has made clear, to serve the objective of providing the public with accurate, timely information on major Department of Defense programs while honoring the first concern that is the security of the United States and the safety of our Armed Forces.

It has been in pursuit of this dedication to honoring the people's right to know that we have seen great expedition of the flow of information of great substance to the public; yet, contrary to Mr. REUSS' implications, the office of Mr. Daniel Henkin, Assistant Secretary of Defense for Public Affairs, has undergone a staff reduction of some 14 percent during the first 18 months' tenure of this administration; and further, deeper reductions, and resultant economies are planned in accordance with the Nixon-Laird thesis of giving the American people greater security and service at lesser cost.

Any suggestion that Mr. REUSS restrict his constituent and media contacts to mere response to inquiries as to his views, votes, activities, and record, would be unrealistic, unfair, and disregarding of the public interest and trust; so is Mr. REUSS' suggestion of a self-restrictive

code of conduct for the Department of Defense. Among several factors which his so-called guideline would ignore is the massive campaign of purposeful anti-military propaganda waged by enemies of this country who seek victory over the United States via immobilization of our Armed Forces.

Finally, I wish to assure my distinguished colleague from the great State of Wisconsin that not even the most extreme liberal nor pacifist has anything to fear from a Military Establishment which maintains a constant free flow of honest information to the public with regard to the manner in which it serves its mandate to defend this Nation while remaining responsive to civilian authority and control.

Unlike my colleague from Wisconsin, I neither fear, nor resent, nor criticize the Department of Defense for such laudable operation; nor, indeed, would I attempt to discourage nor stifle the Department in pursuit of its mission of public information, quite the contrary, I thank and congratulate Secretary Laird, Assistant Secretary Henkin, and all of the civilian and military personnel who, each day, labor hard, all over the world, to carry out their public information directives which, as Mr. Laird has put it, must adhere to provisions of the Freedom of Information Act which, as he has insisted, must be supported in both letter and spirit.

Thank you.

#### OUR SPECIALTY STEEL INDUSTRY MUST NOT BE TAKEN OVER BY OTHER FREE-TRADING NATIONS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. DENT) is recognized for 60 minutes.

Mr. DENT. Mr. Speaker, I take this time to straighten out what I think is a serious misunderstanding of the differences between producers of specialty steel and other steel and their relationship to the so-called voluntary import quotas established 2 years ago. May I say that I predicted that voluntary quotas would not work and never will.

The situation compels me at this time to make a report partly contained in a presentation by Colt Industries and the first part of a letter from Mr. Ahlbrandt, president of Allegheny Ludlum Industries, which was sent to my office.

If at this time, Members of Congress will not act on this serious, threatening situation, there is not much I or anyone else can say to help save our economy.

If there is any question as to what is wrong with the steel market in the national industrial complex, let us take a look at at least one of the causes for the stock market debacle that has taken place so far this year. No economy can successfully maintain a proper industrial complex in peacetime nor project a war successfully, either as an expeditionary force or a defensive unit on our own land, without a tool or specialty steel industry. The steady decrease of this industry because of imports is just as great a catastrophe as if they were bombed out by enemy planes or sabotaged by enemy saboteurs or guerrillas. In this

day, as well as any other day, past or future, the main objective of opposing armies is the destruction of the production forces of their opponents. This same objective holds true in an economic war such as we are now participating in through an unbelievable free trade philosophy that acts as a roadmap to direct our economic enemies to their targets.

All other industries affected by trade, especially those less advertised than textiles and shoes are important to the economy of this country, but even those industries cannot survive in time of war if we allow our specialty steel industry to be taken over by other free trading nations.

COLT INDUSTRIES, INC.,  
Washington, D.C., June 14, 1970.

HON. JOHN H. DENT,  
U.S. House of Representatives,  
House Office Building,  
Washington, D.C.

DEAR CONGRESSMAN DENT: I am sorry I was unable to attend your debate with Mr. Stitt in Pittsburgh yesterday, but I was pleased with the publicity that it got. It is a real pleasure to see one of our elected representatives explaining the cold hard facts of life to the Chamber of Commerce, which has not been very alert to the growing dangers of imports.

As a major producer of Specialty Steels, we are becoming increasingly alarmed about what is happening to our industry, which includes Latrobe Steel Company and Vasco. We have analyzed the Commerce Department figures and have prepared a report, a copy of which I am enclosing, with a copy of the covering letter from our Mr. E. A. March to Congressman Mills.

I call your particular attention to the charts in the report and to Charts 4 and 5. Much of the high speed steel and tool steel is produced in Latrobe, Pennsylvania. If the imports keep growing, these plants will surely be hard-pressed to survive, as will our own.

COLT INDUSTRIES, INC.,  
Pittsburgh, Pa., June 10, 1970.

WILBUR MILLS,  
Chairman, Ways and Means Committee,  
U.S. House of Representatives,  
Washington, D.C.

DEAR MR. CHAIRMAN: Mr. Blair Bolles has provided me with a copy of his letter of May 28 to you relative to our concern about the serious situation confronting the producers of specialty steels. In this connection we have prepared a report which details the critical nature of this matter and I am pleased to enclose herewith copies of that report for your consideration.

Colt Industries, through its Crucible Materials Group, is one of America's largest producers of these important steels and alloys, and we are deeply concerned over the inroads being made by imports of these steels and products made from them, such as tools, cutlery, utensils and a myriad of other articles. As the charts in the report show, some products such as standard stainless steel sheet, rod and wire have lost from 30 to 50 per cent of the domestic market to imports. At the current rate of market loss, it is difficult to envision how the industry can long survive.

In the past, I was confident that our company and our industry could successfully compete with foreign producers, at least in the U.S. market place. Recently, my assurance has been shaken by two new conditions.

First, the U.S. cost and price stability has given way to serious inflation. Without exception, all elements of the cost of our products are increasing at an accelerating rate. Raw materials, services, labor, supplies, taxes, utilities and money are all more expensive than a year ago. We have no assurance that this trend has been halted or even tempered.

Secondly, the GATT negotiations did not result in fair and equal treatment for U.S. firms vis-a-vis foreign competitors. A U.S. producer must pay full U.S. income taxes, receives no export rebate, does not benefit from loans to cover the cost of extending credit, does not receive low-cost capital equipment loans nor rapid depreciation allowances. In some foreign nations, the steel industry even receives a direct subsidy.

Recognizing that correcting these basic ills and inequities will provide the only long-term solution, we must nevertheless take the position that there is as yet no evidence that we have won the battle of inflation or in any way eased the pressure on the U.S. steel industry. We therefore must address ourselves to the temporary measures of restricting imports. Any measures, whether negotiated or enacted into law, must insure equitable treatment for the specialty steel industry. If the restrictions are based only upon tons of steel, importers will naturally import the highest priced tons possible, thus insuring the greatest dollars of sales and therefore the greatest dollars of imports. To be effective for us, restrictions must be by product form and limited to dollar amounts rather than tons.

As a matter of policy, our company is in favor of free and fair trade. But in a situation such as this, and considering the importance of the specialty steel mills to the national security, we are forced to re-examine our position. We have expended much effort and money to win this battle on our own. But the great effect of labor cost in these products just cannot be overcome through belt-tightening and capital investment. Therefore, we regretfully must ask for help and I hope you will give serious consideration to rolling back imports of tool and stainless steels to more reasonable levels, such as 10 per cent of the domestic market in each product form.

We would be more than pleased to discuss this with you further at your convenience.

Thanking you for your interest and attention, I am,

Sincerely,

E. A. MARCH,  
Vice President/Group Executive.

#### THE SPECIALTY STEEL PROBLEM INTRODUCTION

It has been the practice to think of Steel as "steel." One discusses the "Steel Industry"; the millions of tons of steel produced per month or per year; voluntary quotas of steel imports based on tons. Only in recent months has there begun to be a gradual recognition by those outside the industry that Specialty Steels are different—and in serious trouble.

Specialty Steels are stainless steels, tool steels, alloy steels produced in small quantities for special applications and a host of particular alloys for uses in jet engines, electronic equipment and the like. Some contain little or no iron at all.

Mr. George Stinson, Chairman of the American Iron and Steel Institute, devoted considerable attention to the approaching crisis in the Specialty Steel Industry in his testimony on June 1, 1970, before the Committee on Ways and Means of the House of Representatives. It is the purpose of this report to expand on Mr. Stinson's remarks and, as a major producer of Specialty Steels, to present additional data which illustrate the need for action on the part of Congress to undo the damage which has been done.

#### EFFECTS OF SO-CALLED VOLUNTARY QUOTAS ON STEEL IMPORTS

Chart 1 shows the imports of all steel mill products during the period 1964-69 and the first three months of 1970 extrapolated to a full year. If the remaining nine months follow the pattern of the first quarter, imports

of all steel mill products will have dropped—in tons—to the level of 1964-65. But the dollar value will be \$1.4 billion, the level of 1967-68. In other words, the mix of products has shifted to the side of the high dollar-per-ton items.

Whether the drop in tons is due to a true desire on the part of those nations who agreed to the Voluntary Restraint Program to hold down shipments to this country, or whether it was the natural result of an increase in demand elsewhere for carbon steel products, is subject to question. But the effect of neglecting to recognize in the Voluntary Program the basic nature of the Specialty Steel business is clearly demonstrated in Chart 2. It shows that imports have grown from 60,000 tons (\$47 million) in 1964 to a rate of over 180,000 tons (over \$160 million) in the first quarter of 1970.

Contrary to the decline starting after 1968 for imports of "all steel products," imports of tool and stainless steels show a steady rise in dollar value and at a most alarming rate. The leveling off of tons in 1969 presumably was due to the world-wide shortage of nickel, used in stainless steel, during that year. As soon as the strikes in the nickel mines were over, the curve resumed its sharp climb.

#### PENETRATION OF U.S. MARKETS

It is appropriate to examine to what extent imports have captured segments of the Specialty Steel markets. Chart 3 shows imports of stainless steel bars, in tons and declared value, and the domestic shipments reported to AISI by its member companies. Since little if any of the products covered by this and subsequent charts can be exported from the United States (prices abroad frequently are below U.S. costs), domestic shipments plus imports essentially represent the U.S. market. Chart 3 shows that in stainless steel bars, imports have moved from two percent in 1964 to 11 percent of the U.S. market in the first quarter of 1970. Imports have jumped from a modest 2,000 tons per year to a rate of 17,000 tons, while domestic producers' shipments have dropped from 160,000 tons in 1966 to a rate of 140,000 tons so far this year. Thus, the market is about constant but with imports pushing out domestic production.

The bar business is not an easy one for importers, due to the wide variety of sizes, shapes and special requirements, plus small volume per item. Chart 4 illustrates this in tool steels and shows a drop in imports from 1967 to 1968. But in spite of the complications in serving the bar market, and the softness of the tool steel business in general, imports of tool steel have resumed their climb, and have more than doubled over the past five years. Imports of high speed steel wire rod, used in the manufacture of twist drills have shot up from 200 tons in 1964 to a rate of 3500 tons per year in the first quarter of 1970 (Chart 5).

Chart 6 shows what is possibly the most serious situation—in stainless steel sheets. Imports have grown from \$17 million in 1964 to a rate of almost \$70 million. And from 12 percent of the market to 32 percent. In the first three months of this year, U.S. shipments are off substantially, while imports are back up to the rate of increase they were showing before the nickel shortage.

If action is not taken to halt and indeed reverse this trend, it is reasonable to anticipate what is illustrated by Chart 7. This shows that imports have captured over 70 percent of the U.S. market for stainless steel wire rods and have forced a drop in domestic shipments from 15,000 tons in 1966 to a present rate of less than 6,000 tons. It is reasonable to assume that before long it will not be practical to continue production of stainless rods in this country.

It has been said that this is no problem, as independent wire redrawers would rather have the cheaper imported rods. But Chart 8 illustrates that it isn't just rod that is com-

ing in. The imports of cold drawn stainless wire have jumped from 5,000 tons in 1964 to a rate of 19,000 tons in 1970.

#### CAUSE OF THE PROBLEM

Stainless and tool steels are abnormally vulnerable to import competition because of the very high number of man-hours per ton required to produce them as compared with basic steel. This ratio may be as high as ten to one or more, and therefore the portion of the cost of producing Specialty Steels represented by labor is far higher than for carbon steel. Thus the U.S. Specialty steelmakers cannot hope to compete with countries where labor costs are much lower, no matter how much is spent in modernization. Since a healthy specialty steel industry is essential to the country's welfare and defense, it cannot be allowed to deteriorate further.

#### EFFECT ON OTHER INDUSTRY

The relationship of stainless rods and wire (Charts 7 and 8) are symptomatic of the broad scope of the problem. Just as imports do not stop with rods but continue into the wire made from the rods, the same thing happens with other product forms. Cheap foreign tool steel does not help the toolmaker, because right on its heels come the tools themselves.

Makers of stainless steel utensils thought cheap imported stainless sheets were great, until they were hit with imports of their own products at prices below their costs.

Thus the specialty steelmaker gets his two ways—through direct competition of imports of sheet, bar, rod, wire and other mill product forms; and from loss of additional business because his customers, who fabricate these products, are losing business because of imported finished articles.

#### WHAT MUST BE DONE

The problem of imported specialty steels, and articles made therefrom, is of comparatively recent origin—brought about by the construction of modern specialty steel mills abroad. Prior to that time, we could afford the luxury of not needing protection for the U.S. industry. In fact, exports of stainless and tool steels were fairly substantial as our quality could not be duplicated abroad on the antiquated mills then in use. This condition no longer exists.

The time has come when we must swallow our pride and accept the fact that until foreign labor costs more nearly approach our own, the domestic specialty mills are fighting a losing battle in a free market.

It has been said that increased tariffs or imposition of quotas will result in retaliatory action by the affected countries. On the contrary, countries—like people—are inclined to buy where they can get the best deal. And since much of the imports of specialty steels are from countries such as Japan, who already have broad barriers against imports into their own countries, the argument hardly seems germane.

At any rate, it is believed that the charts speak for themselves. Action already is overdue if the American Specialty Steel Industry and its thousands of employees—and its customers and their hundreds of thousands of employees—scattered throughout many states, are to prosper.

ALLEGHENY LUDLUM INDUSTRIES, INC.,  
Pittsburgh, Pa., June 22, 1970.

HON. JOHN H. DENT,  
House Office Building,  
Washington, D.C.

DEAR MR. DENT: In a recent appearance before the House Ways and Means Committee, George A. Stinson, Chairman of the American Iron and Steel Institute, called the import situation in stainless and other specialty steels "particularly critical."

In the event you may not have noted these points made by Mr. Stinson, I wish to take this opportunity to underscore them.

"As far as the high performance steels are concerned," Mr. Stinson said, "the Voluntary Restraint Program (negotiated with Japanese and German producers) has been almost totally ineffective. If foreign producers had adhered to the provisions of the Voluntary Restraint Program regarding product mix, imports of stainless and tool steels would have decreased by 24% from 1968 to 1969. Instead, they rose nearly 7%, and imports of these key grades of steel exceeded the level implied in the Voluntary Program by 41%. Furthermore, this situation is continuing in 1970. If imports keep on at the same rate as in the first three months, they will exceed the Voluntary Restraint level by 50% for the year 1970 as a whole."

Mr. Stinson's import statistics relate to the overall market. In certain product lines and geographic areas, the effect of imports has been completely devastating of our markets. Here are some examples: imports of stainless steel wire rod in the first quarter of 1970 captured 70% of the domestic market; imports of cold rolled stainless sheet took 33% of our markets in the same period; and for stainless steel totally, the annualized trend indicates an 11% increase for 1970 over 1969. The accompanying charts show the heavy inroads which imported specialty steels have made in our markets through 1969 and continuing through the first quarter of 1970.

There are still other factors in the world trade picture which raise questions as to how American producers can plan for the needed improvement and expansion of their plants, keep skilled American workmen on their jobs and maintain a viable industry capable of producing specialty steels critical to the nation's defense.

Government policies relating to stockpiles of critical materials have caused artificial shortages, inflationary price increases, and chaotic market conditions for some materials. A government embargo against Rhodesian sources of chrome ore and unwelcome overseas sales of government-stockpiled tungsten have resulted in shortages and skyrocketing prices for these commodities. Excessive foreign purchases of nickel-bearing scrap have had the same effect on supplies of this vital material.

Needless to say, these are materials critical to the defense of this country, and our national resources are weakened not only by their diminished supply, but by the disruption of normal market patterns and the inflationary price spirals which they feed.

In short, we believe there are fundamental defects in our nation's foreign trade policies and in the administration of foreign trade affairs, and that this poses a continuing threat not only to American manufacturers and their employees but to the very security of the nation as well. We believe it is absolutely essential to develop a better understanding between industry and government of the critical nature of these problems.

We feel that it is important for you to know how serious the foreign trade situation is with respect to specialty steel producers. We are also concerned about the growing flood of fabricated products coming from Japan and Europe, which also has the effect of cutting into our markets for specialty steels.

Although the basic steel industry is asking only for extension and improvements to the Voluntary Restraint Program, I believe the time has come when we in the specialty steel industry must seek some kind of legislated relief and/or tariff protection.

We earnestly solicit your support of our contention that the United States must completely reevaluate and update its foreign trade policies if it is to reverse the declining position of American industry in its own and world markets.

Sincerely,

ROGER S. AHLBRANDT

TABLE 1.—STAINLESS IMPORTS

[In tons]

|                 | 3 months         |                  | 3 months<br>1979 vs<br>3 months<br>1969<br>(percent) | 1969    | Esti-<br>mated<br>1970 (3<br>months<br>at annual<br>rate) | Estimated<br>increase<br>AR 1970<br>vs 1969<br>(percent) | 3 months         |                  | 3 months<br>1979 vs<br>3 months<br>1969<br>(percent) | 1969 | Esti-<br>mated<br>1970 (3<br>months<br>at annual<br>rate) | Estimated<br>increase<br>AR 1970<br>vs 1969<br>(percent) |
|-----------------|------------------|------------------|--|---------|---|--|------------------|------------------|--|------|---|--|
|                 | 3 months<br>1969 | 3 months<br>1970 |  |         |   |  | 3 months<br>1969 | 3 months<br>1970 |  |      |   |  |
| Strip:          |                  |                  |  |         |   |  |                  |                  |  |      |   |  |
| HR              |                  |                  |  |         |   |  |                  |                  |  |      |   |  |
| CR              | 2,220            | 3,119            | +40  | 11,908  | 12,476  | +5   |                  |                  |  |      |   |  |
| Total strip     | 2,220            | 3,119            | +40  | 11,908  | 12,476  | +5   |                  |                  |  |      |   |  |
| Sheet:          |                  |                  |  |         |   |  |                  |                  |  |      |   |  |
| HR              | 332              | 595              | +79  | 1,993   | 2,380   | +19  |                  |                  |  |      |   |  |
| CR              | 13,388           | 20,462           | +53  | 62,739  | 81,848  | +30  |                  |                  |  |      |   |  |
| Total sheet     | 13,720           | 21,057           | +53  | 64,732  | 84,228  | +30  |                  |                  |  |      |   |  |
| Plates          | 1,174            | 2,775            | +136   | 7,153   | 11,100  | +55  |                  |                  |  |      |   |  |
| Bars:           |                  |                  |  |         |   |  |                  |                  |  |      |   |  |
| HR              | 899              | 2,266            | +152   | 6,507   | 9,064   | +39  |                  |                  |  |      |   |  |
| CF              | 898              | 1,857            | +107   | 6,121   | 7,428   | +21  |                  |                  |  |      |   |  |
| Total bars      | 1,797            | 4,123            | +129   | 12,628  | 16,492  | +31  |                  |                  |  |      |   |  |
| Tubes           | 1,406            | 1,672            | +19  | 7,929   | 6,688   | -16  |                  |                  |  |      |   |  |
| Wire            | 2,201            | 4,780            | +117   | 13,966  | 19,120  | +37  |                  |                  |  |      |   |  |
| Wire rod        | 1,935            | 3,478            | +80  | 14,864  | 13,912  | -6   |                  |                  |  |      |   |  |
| Total wire      | 4,136            | 8,258            | +200   | 28,830  | 33,032  | +15  |                  |                  |  |      |   |  |
| Semifinish      | 14,870           | 9,543            | -36  | 49,044  | 39,172  | -22  |                  |                  |  |      |   |  |
| Total stainless | 39,323           | 50,547           | +29  | 182,224 | 202,188   | +11  |                  |                  |  |      |   |  |

TABLE 2.—STAINLESS STEEL IMPORTS, COUNTRY OF ORIGIN COMPARISON

| Country                      | Total   |                                | Year 1969,<br>percent of total | Country        | Total   |                                | Year 1969,<br>percent of total |
|------------------------------|---------|--------------------------------|--------------------------------|----------------|---------|--------------------------------|--------------------------------|
|                              | 1Q 1970 | Year 1969,<br>percent of total |                                |                | 1Q 1970 | Year 1969,<br>percent of total |                                |
| Japan                        | 29,097  | 57.6                           | 47.3                           | Austria        | 98      | 0.2                            | 0.2                            |
| European economic community: |         |                                |                                | Canada         | 10,850  | 21.5                           | 30.1                           |
| Belgium-Luxembourg           | 436     | .8                             | 1.1                            | Sweden         | 3,374   | 6.8                            | 8.6                            |
| France                       | 4,533   | 9.0                            | 7.8                            | United Kingdom | 1,105   | 2.2                            | 2.8                            |
| Italy                        | 289     | .6                             | .8                             | All other      | 275     | .5                             | .5                             |
| Netherlands                  |         |                                |                                | Total          | 50,547  | 100.0                          | 100.0                          |
| West Germany                 | 390     | .8                             | .8                             |                |         |                                |                                |
| Total EEC                    | 5,648   | 11.2                           | 10.5                           |                |         |                                |                                |

TABLE 3.—STAINLESS IMPORTS AS A PERCENT OF THE DOMESTIC MARKET

|                 | 1958 | 1959 | 1960 | 1961 | 1962 | 1963 | 1964 | 1965 | 1966 | 1967 | 1968 | 1969 | 1Q 1970 |
|-----------------|------|------|------|------|------|------|------|------|------|------|------|------|---------|
| Strip:          |      |      |      |      |      |      |      |      |      |      |      |      |         |
| HR              |      |      |      |      |      |      |      |      |      |      |      |      |         |
| CR              | 0.1  | 0.1  | 0.4  | 0.1  | 0.2  | 1.1  | 2.1  | 2.1  | 3.2  | 3.0  | 4.4  | 4.1  | 5.5     |
| Total strip     | .1   | .1   | .3   | .1   | .2   | 1.0  | 1.9  | 1.8  | 2.9  | 2.8  | 4.1  | 3.7  | 4.8     |
| Sheets:         |      |      |      |      |      |      |      |      |      |      |      |      |         |
| HR              |      |      |      |      |      |      | 5.5  | 6.1  | 7.5  | 4.0  | 3.8  | 6.6  | 11.5    |
| CR              | .3   | .6   | 1.6  | 1.7  | 8.1  | 15.3 | 14.2 | 17.7 | 20.1 | 23.6 | 28.0 | 22.7 | 33.1    |
| Total sheets    | .2   | .4   | 1.0  | 1.3  | 6.8  | 12.8 | 12.9 | 16.6 | 19.2 | 22.1 | 26.0 | 21.0 | 31.4    |
| Plates          |      |      |      |      |      | .2   | 1.3  | 1.2  | 2.4  | 5.9  | 8.4  | 9.6  | 15.9    |
| Bars:           |      |      |      |      |      |      |      |      |      |      |      |      |         |
| HR              |      |      |      |      |      |      | 2.4  | 2.8  | 4.7  | 7.4  | 10.9 | 11.8 | 16.5    |
| CF              |      |      |      |      |      |      | 1.9  | 2.8  | 2.7  | 5.4  | 4.7  | 5.7  | 7.4     |
| Total bars      | .4   | .7   | 1.2  | 1.0  | .9   | 1.7  | 2.1  | 2.8  | 3.4  | 6.2  | 6.9  | 7.8  | 10.6    |
| Tubes           | 6.2  | 4.9  | 9.0  | 9.6  | 11.1 | 10.5 | 6.0  | 7.8  | 8.0  | 16.6 | 20.4 | 22.0 | 17.9    |
| Wire            | .5   | 2.2  | 3.3  | 4.1  | 5.2  | 8.0  | 16.6 | 19.3 | 21.6 | 29.1 | 31.6 | 35.4 | 50.6    |
| Wire rod        | .1   | 2.1  | 6.4  | 15.9 | 19.9 | 28.8 | 40.3 | 36.9 | 42.0 | 53.2 | 63.7 | 59.2 | 70.5    |
| Total wire      | .4   | 2.2  | 4.3  | 8.5  | 10.9 | 16.8 | 26.0 | 26.6 | 20.5 | 38.2 | 44.8 | 44.7 | 57.4    |
| Semifinish      | 3.2  | 4.9  | 8.8  | 6.3  | 13.1 | 26.7 | 33.2 | 32.4 | 37.6 | 41.0 | 40.1 | 44.1 | 36.5    |
| Total stainless | .8   | 1.1  | 2.6  | 2.3  | 4.4  | 8.5  | 10.2 | 12.0 | 13.4 | 16.2 | 18.3 | 17.3 | 21.0    |

TABLE 4.—TOOL STEEL IMPORTS AS A PERCENT OF THE DOMESTIC MARKET [In net tons]

| Year              | Net industry shipments | Imports | Exports | Domestic market | Imports as a percent of domestic market |
|-------------------|------------------------|---------|---------|-----------------|---|
| 1970 <sup>1</sup> | 27,985                 | 4,507   | 400     | 32,092          | 14.0                                    |
| 1969              | 113,921                | 15,253  | 2,725   | 126,449         | 12.1                                    |
| 1968              | 106,366                | 15,162  | 1,606   | 119,922         | 12.6                                    |
| 1967              | 109,929                | 18,859  | 1,639   | 127,149         | 14.8                                    |
| 1966              | 121,345                | 17,614  | 1,775   | 137,184         | 12.8                                    |
| 1965              | 118,242                | 12,954  | 1,652   | 129,544         | 10.0                                    |
| 1964              | 102,379                | 9,081   | 2,275   | 109,185         | 8.3                                     |

<sup>1</sup> First quarter.

EMERGENCY IN HEALTH MAN-POWER EDUCATION IN THE NATION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. BOLAND) is recognized for 10 minutes.

Mr. BOLAND. Mr. Speaker, there is no question about it—we have an emergency in health manpower education in the Nation. The Public Health Service, in the 1971 appropriations hearings, tells us that we have now a shortage of 48,000

doctors, 17,800 dentists, 150,000 nurses, and 266,000 allied health workers, of which 45,000 are environmental health specialists. The projections for 1980 are even more bleak, if we continue at the present levels of funding.

For the information of my colleagues, I insert into the RECORD the following information from the Public Health Service:

First. Health manpower needs, projected by the Public Health Service, 1970 and 1980:

Second. A chart showing the decline

in health student loan support, so that now we assist only 14 percent of the students, compared with over 30 percent in 1968, a decline occurring when the health manpower schools are being urged

to increase manpower, especially from among the poor.

Third. Construction grant applications approved but unfunded as of June 1970, showing a total of \$465 million in back-

logs for schools of the health professions, and \$24 million for schools of nursing.

Fourth. Approved but unfunded special project grants for schools of the health professions and nursing.

HEALTH MANPOWER NEEDS, 1970-80

(Submitted by Bureau of Health Manpower, National Institutes of Health to Subcommittee on Appropriations on Wednesday, Apr. 29, 1970)

|  | Supply    | Need      | Estimated shortage |   | Supply  | Need    | Estimated shortage |
|--|-----------|-----------|--------------------|---|---------|---------|--------------------|
| Physicians:                                    |           |           |                    | 1980  | 320,000 | 413,000 | 93,000             |
| 1970   | 325,000   | 373,000   | 48,000             | Environmental health manpower:                  |         |         |                    |
| 1980   | 412,000   | 438,000   | 26,000             | 1970  | 64,000  | 124,000 | 60,000             |
| Dentists:                                      |           |           |                    | 1980  | 90,000  | 155,000 | 65,000             |
| 1970   | 102,200   | 120,000   | 17,800             | Allied health manpower—less than baccalaureate: |         |         |                    |
| 1980   | 119,400   | 176,000   | 56,600             | Medical allied manpower:                        |         |         |                    |
| Nurses:  |           |           |                    | 1970  | 325,000 | 396,000 | 71,000             |
| 1970   | 700,000   | 850,000   | 150,000            | 1980  | 475,000 | 580,000 | 105,000            |
| 1980   | 890,000   | 1,100,000 | 210,000            | Dental allied manpower:                         |         |         |                    |
| Allied health manpower: 1970                   | 925,000   | 1,191,000 | 266,000            | 1970  | 138,000 | 167,000 | 29,000             |
| Total, 1980                                    | 1,344,000 | 1,776,000 | 432,000            | 1980  | 151,000 | 246,000 | 95,000             |
| Allied health manpower—at least baccalaureate: |           |           |                    | Environmental health manpower:                  |         |         |                    |
| Medical allied manpower:                       |           |           |                    | 1970  | 188,000 | 233,000 | 45,000             |
| 1970   | 210,000   | 271,000   | 61,000             | 1980  | 308,000 | 382,000 | 74,000             |

NUMBER OF STUDENTS ASSISTED

|                     | Fiscal year— |        |        |        |        |        |        |
|---------------------|--------------|--------|--------|--------|--------|--------|--------|
|                     | 1965         | 1966   | 1967   | 1968   | 1969   | 1970   | 1971   |
| Medical             | 7,186        | 9,475  | 11,303 | 12,484 | 12,808 | 6,980  | 5,191  |
| Dental              | 3,367        | 4,472  | 5,530  | 5,944  | 6,375  | 2,910  | 2,163  |
| Osteopathy          | 614          | 726    | 937    | 977    | 1,050  | 425    | 287    |
| Optometry           | 387          | 564    | 656    | 745    | 853    | 480    | 359    |
| Pharmacy            |              |        | 1,584  | 2,105  | 2,541  | 2,325  | 1,789  |
| Podiatry            |              |        | 158    | 211    | 303    | 150    | 133    |
| Veterinary medicine |              |        |        | 797    | 1,075  | 785    | 600    |
| Total               | 11,554       | 15,237 | 20,168 | 23,263 | 25,005 | 14,055 | 10,502 |

PERCENT OF STUDENTS ASSISTED

|                     | Fiscal year— |      |      |      |      |      |      |
|---------------------|--------------|------|------|------|------|------|------|
|                     | 1965         | 1966 | 1967 | 1968 | 1969 | 1970 | 1971 |
| Medical             | 23           | 30   | 34   | 37   | 36   | 19   | 14   |
| Dental              | 26           | 33   | 40   | 42   | 43   | 19   | 14   |
| Osteopathy          | 37           | 42   | 53   | 54   | 56   | 22   | 14   |
| Optometry           | 27           | 38   | 33   | 37   | 38   | 19   | 14   |
| Pharmacy            |              |      | 19   | 21   | 23   | 18   | 12   |
| Podiatry            |              |      | 47   | 50   | 47   | 21   | 12   |
| Veterinary medicine |              |      |      | 31   | 28   | 16   | 12   |
| Total               | 24           | 31   | 34   | 36   | 36   | 19   | 13   |

CONSTRUCTION GRANT APPLICATIONS APPROVED BUT UNFUNDED AS OF JUNE 1970—SCHOOLS OF HEALTH PROFESSIONS

| Institution and location, Health professions:        | Federal share |   | Federal share |
|--|---------------|---|---------------|
| <b>Medical:</b>                                      |               | <b>Dental:</b>  |               |
| California, University of, Davis (new)               | \$18,166,392  | Creighton University, Omaha, Nebr.                          | \$6,549,661   |
| California, University of, San Diego (new)           | 9,417,887     | Iowa, University of, Iowa City                              | 393,769       |
| California, University of, San Diego                 | 4,263,547     | Meharry Medical College, Nashville, Tenn.                   | 898,010       |
| California, University of, San Diego                 | 6,140,307     | Minnesota, University of, Minneapolis                       | 16,913,071    |
| California, University of, Irvine                    | 14,743,349    | New Jersey College of Medicine and Dentistry, Newark        | 1,619,347     |
| Confederate Memorial Hospital, Shreveport, La.       | 900,045       | New Jersey College of Medicine and Dentistry, Newark        | 402,779       |
| Dartmouth College, Hanover, N.H. (new)               | 5,424,817     | New York, State University of, Stony Brook                  | 4,194,054     |
| Iowa, University of, Iowa City                       | 27,135,943    | New York University, New York                               | 16,248,229    |
| Iowa, University of, Iowa City                       | 1,941,886     |   |               |
| Kansas City General Hospital, Kansas City, Mo. (new) | 9,988,000     | <b>Other:</b>   |               |
| Louisiana State University, New Orleans (new)        | 20,288,242    | Alabama, University of, Birmingham (opt)                    | 1,998,425     |
| Maryland, University of, Baltimore                   | 9,102,060     | California, University of, Davis (vet med)                  | 14,316,049    |
| Massachusetts, University of, Worcester (new)        | 16,547,917    | California, University of, Davis (vet med)                  | 2,016,617     |
| Meharry Medical College, Nashville, Tenn.            | 2,015,881     | Colorado State University, Fort Collins (vet med)           | 1,018,544     |
| Michigan State University, East Lansing (new)        | 10,052,711    | Colorado State University, Fort Collins (vet med)           | 4,113,971     |
| Michigan State University, East Lansing (new)        | 17,319,866    | Illinois College of Podiatry, Chicago (pod)                 | 3,771,666     |
| Minnesota, University of, Minneapolis                | 5,480,956     | Illinois, University of, Urbana (vet med)                   | 4,380,534     |
| College of Osteopathy, Des Moines, Iowa              | 8,548,460     | Iowa State University, Ames (vet med)                       | 12,760,111    |
| Missouri, University of, Columbia                    | 2,634,374     | Kansas State University, Manhattan (vet med)                | 2,345,707     |
| Missouri, University of, Kansas City (new)           | 8,856,643     | Long Island University, Greenvale, N.Y. (pharmacy)          | 4,193,719     |
| Nebraska, University of, Lincoln                     | 1,482,448     | Los Angeles College of Optometry, Los Angeles, Calif. (opt) | 1,988,503     |
| Nevada, University of, Reno                          | 687,064       | Louisiana State University, Baton Rouge (vet med)           | 10,615,889    |
| New England Medical Center, Boston, Mass.            | 3,511,023     | Mississippi, University of, University (pharmacy)           | 168,574       |
| New Jersey College of Medicine and Dentistry, Newark | 6,597,797     | Missouri, University of, Columbia (vet med)                 | 10,796,819    |
| New Jersey College of Medicine and Dentistry, Newark | 1,356,730     | Minnesota, University of, Minneapolis (PH)                  | 2,027,968     |
| New York Medical College, New York                   | 447,322       | M. J. Lewi College of Podiatry, New York, N.Y. (pod)        | 1,788,263     |
| New York Medical College, New York                   | 6,260,813     | Oklahoma, University of, Stillwater (PH)                    | 7,028,296     |
| New York, State University of, Stony Brook (new)     | 21,876,506    | Pennsylvania College of Podiatry, Philadelphia (pod)        | 4,249,138     |
| Ohio, Medical College of, Toledo (new)               | 7,231,028     | Southern California, University of, Los Angeles (pharmacy)  | 3,083,311     |
| Ohio, Medical College of, Toledo (new)               | 1,997,163     | Texas, University of, Houston (PH)                          | 8,542,297     |
| Ohio, Medical College of, Toledo (new)               | 3,238,251     | Wisconsin, University of, Madison (pharmacy)                | 1,785,300     |
| Ohio State University, Columbus                      | 22,441,649    |   |               |
| Presbyterian Hospital, Oklahoma City, Okla.          | 2,862,257     | Subtotal, (21).   |               |
| Saint Louis, University, St. Louis, Mo.              | 9,758,821     | Total, (69).  |               |
| Temple University, Philadelphia, Pa.                 | 11,156,967    | Total as of June 30, 1970                                   | 465,418,415   |
| Texas, University of, Dallas                         | 1,439,312     |   |               |
| Texas, University of, Dallas                         | 1,249,310     |   |               |
| Texas, University of, Dallas                         | 2,924,976     |   |               |
| Tufts University, Boston, Mass.                      | 1,572,529     |   |               |
| Washington, University of, Seattle                   | 8,148,645     |   |               |

CONSTRUCTION GRANT APPLICATIONS APPROVED BUT UNFUNDED AS OF JUNE 1970—SCHOOLS OF NURSING

| Institution and location, nursing:                |       | Federal share | Federal share  |       |            |
|---|-------|---------------|--|-------|------------|
| Baccalaureate and graduate degree programs:       |       |               |  |       |            |
| Alderson-Broaddus College, Philippi, W. Va.       | ----- | \$696,392     | McLennan Community College, Waco, Tex.               | ----- | \$400,020  |
| Jacksonville State University, Jacksonville, Ala. | ----- | 921,717       | Olympic College, Bremerton, Wash.                    | ----- | 353,143    |
| Marycrest College, Davenport, Iowa                | ----- | 1,195,864     | Pasadena City College, Pasadena, Calif.              | ----- | 1,201,550  |
| Missouri, University of, Columbia                 | ----- | 1,271,166     | Puerto Rico, University of, Arecibo Regional College | ----- | 669,360    |
| Ohio State University, Columbus                   | ----- | 37,500        | San Antonio College, San Antonio, Tex.               | ----- | 452,475    |
| Seton Hall University, South Orange, N.J.         | ----- | 1,166,863     | Santa Barbara City College, Santa Barbara, Calif.    | ----- | 512,230    |
| Skidmore College, Saratoga Springs, N.Y.          | ----- | 188,763       | Shoreline Community College, Seattle, Wash.          | ----- | 315,608    |
| State University of New York at Stony Brook       | ----- | 1,534,108     | Southern State College, Magnolia, Ark.               | ----- | 301,906    |
| Texas, University of, Austin                      | ----- | 1,278,124     |  |       | 6,008,618  |
| Trenton State College, Trenton, N.J.              | ----- | 1,163,858     |  |       |            |
| Pacific Lutheran University, Tacoma, Wash.        | ----- | 271,000       |  |       |            |
| Pittsburgh, University of, Pittsburgh, Pa.        | ----- | 4,222,280     |  |       |            |
| Wayne State University, Detroit, Mich.            | ----- | 611,524       |  |       |            |
|   |       | 14,559,159    |  |       |            |
| Associate degree program:                         |       |               |  |       |            |
| Angelina College, Lufkin, Tex.                    | ----- | 288,614       | Diploma programs:                                    |       |            |
| Jefferson State Junior College, Birmingham, Ala.  | ----- | 719,587       | Boston City Hospital, Boston, Mass.                  | ----- | 1,511,872  |
| Kilgore College, Kilgore, Tex.                    | ----- | 331,831       | Elliott Community Hospital, Keene, N. H.             | ----- | 347,777    |
| Lakeland Community College, Mentor, Ohio          | ----- | 462,294       | Missouri Baptist Hospital, St. Louis, Mo.            | ----- | 340,910    |
|   |       |               | Mounds-Midway School of Nursing, St. Paul, Minn.     | ----- | 643,161    |
|   |       |               | Rochester General Hospital, Rochester, Pa.           | ----- | 871,146    |
|   |       |               | Samaritan Hospital, Troy, N. Y.                      | ----- | 430,034    |
|   |       |               |  |       | 4,144,900  |
|   |       |               | Total nursing  | ----- | 24,712,677 |

HEALTH PROFESSIONS EDUCATIONAL IMPROVEMENT PROGRAM—SPECIAL PROJECT GRANTS, FISCAL YEAR 1970 APPROVED BUT UNFUNDED APPLICATIONS

APPROVED, UNFUNDED 1970 SPECIAL PROJECT GRANTS SCHOOLS OF THE HEALTH PROFESSIONS

[Dollars in millions]

| Discipline          | Number of schools | Dollars |
|---------------------|-------------------|---------|
| Medicine            | 31                | \$6.1   |
| Dentistry           | 13                | 1.9     |
| Optometry           | 6                 | 1.0     |
| Podiatry            | 2                 | .1      |
| Osteopathy          | 1                 | .1      |
| Pharmacy            | 37                | 2.1     |
| Veterinary medicine | 10                | 2.4     |
| Total               | 100               | 13.7    |

Schools and colleges of medicine

[Amounts in dollars]

| CALIFORNIA  |         |  |
|---|---------|--|
| University of California, Davis                                 | 138,450 |  |
| University of California, Los Angeles                           | 210,643 |  |
| University of California, San Diego                             | 127,566 |  |
| University of California, San Francisco                         | 200,000 |  |
| University of Southern California                               | 146,681 |  |
| CONNECTICUT   |         |  |
| University of Connecticut                                       | 122,600 |  |
| DISTRICT OF COLUMBIA  |         |  |
| Georgetown University   | 170,773 |  |
| Howard University   | 75,000  |  |
| GEORGIA   |         |  |
| Medical College of Georgia                                      | 109,768 |  |
| ILLINOIS  |         |  |
| University of Chicago, Division of Biological Sciences          | 50,355  |  |
| University of Illinois  | 239,444 |  |
| KENTUCKY  |         |  |
| University of Kentucky  | 178,968 |  |
| MICHIGAN  |         |  |
| Michigan State University, College of Human Medicine            | 100,000 |  |
| University of Michigan  | 324,560 |  |
| Wayne State University  | 206,010 |  |
| MINNESOTA   |         |  |
| University of Minnesota, College of Medical Sciences            | 257,684 |  |
| NEW YORK  |         |  |
| Columbia University, College of Physicians and Surgeons         | 260,800 |  |
| Cornell University, Medical College                             | 244,201 |  |
| State University of New York, Brooklyn Downstate Medical Center | 59,852  |  |

|   |         |
|---|---------|
| State University of New York, Syracuse Upstate Medical Center | 229,076 |
| University of Rochester                                       | 127,325 |

NORTH CAROLINA

|                 |         |
|-----------------|---------|
| Duke University | 312,105 |
|-----------------|---------|

NORTH DAKOTA

|                            |        |
|----------------------------|--------|
| University of North Dakota | 30,000 |
|----------------------------|--------|

PENNSYLVANIA

|  |         |
|--|---------|
| Pennsylvania State University, College of Medicine | 327,000 |
| University of Pennsylvania                         | 232,902 |

RHODE ISLAND

|   |         |
|---|---------|
| Brown University, Division of Biological and Medical Sciences | 147,168 |
|---|---------|

TENNESSEE

|                       |         |
|-----------------------|---------|
| Vanderbilt University | 100,692 |
|-----------------------|---------|

TEXAS

|  |         |
|--|---------|
| Baylor University, College of Medicine         | 550,578 |
| University of Texas, Galveston, Medical Branch | 374,941 |

VIRGINIA

|                             |         |
|-----------------------------|---------|
| Medical College of Virginia | 194,425 |
|-----------------------------|---------|

WISCONSIN

|                         |         |
|-------------------------|---------|
| University of Wisconsin | 215,250 |
|-------------------------|---------|

|       |           |
|-------|-----------|
| Total | 6,073,815 |
|-------|-----------|

Osteopathy

[Amounts in dollars]

MISSOURI

|                                   |        |
|-----------------------------------|--------|
| Kansas City College of Osteopathy | 73,000 |
|-----------------------------------|--------|

Schools and colleges of dentistry

[amounts in dollars]

CALIFORNIA

|                       |        |
|-----------------------|--------|
| Loma Linda University | 44,750 |
|-----------------------|--------|

DISTRICT OF COLUMBIA

|                       |        |
|-----------------------|--------|
| Georgetown University | 17,312 |
|-----------------------|--------|

FLORIDA

|                       |         |
|-----------------------|---------|
| University of Florida | 395,661 |
|-----------------------|---------|

IOWA

|                    |        |
|--------------------|--------|
| University of Iowa | 62,803 |
|--------------------|--------|

LOUISIANA

|                            |        |
|----------------------------|--------|
| Louisiana State University | 53,248 |
|----------------------------|--------|

MARYLAND

|                        |        |
|------------------------|--------|
| University of Maryland | 58,893 |
|------------------------|--------|

MISSOURI

|                                     |        |
|-------------------------------------|--------|
| University of Missouri, Kansas City | 17,526 |
|-------------------------------------|--------|

NEW YORK

|                                       |         |
|---------------------------------------|---------|
| State University of New York, Buffalo | 206,861 |
|---------------------------------------|---------|

NORTH CAROLINA

|                              |         |
|------------------------------|---------|
| University of North Carolina | 284,970 |
|------------------------------|---------|

OREGON

|                      |         |
|----------------------|---------|
| University of Oregon | 428,025 |
|----------------------|---------|

PENNSYLVANIA

|                            |        |
|----------------------------|--------|
| University of Pennsylvania | 99,709 |
| University of Pittsburgh   | 61,668 |

TENNESSEE

|                         |         |
|-------------------------|---------|
| University of Tennessee | 154,203 |
|-------------------------|---------|

|       |           |
|-------|-----------|
| Total | 1,885,629 |
|-------|-----------|

Schools and colleges of optometry

[Amounts in dollars]

ALABAMA

|                       |        |
|-----------------------|--------|
| University of Alabama | 79,712 |
|-----------------------|--------|

INDIANA

|   |        |
|---|--------|
| Indiana University, Division of Optometry | 73,087 |
|---|--------|

MASSACHUSETTS

|               |         |
|---------------|---------|
| Massachusetts | 159,990 |
|---------------|---------|

OHIO

|                       |        |
|-----------------------|--------|
| Ohio State University | 68,226 |
|-----------------------|--------|

PENNSYLVANIA

|              |         |
|--------------|---------|
| Pennsylvania | 230,789 |
|--------------|---------|

TEXAS

|                       |         |
|-----------------------|---------|
| University of Houston | 297,714 |
|-----------------------|---------|

|       |         |
|-------|---------|
| Total | 909,518 |
|-------|---------|

Colleges of podiatry

[Amounts in dollars]

ILLINOIS

|  |        |
|--|--------|
| Illinois College of Podiatric Medicine | 86,925 |
|--|--------|

OHIO

|                          |        |
|--------------------------|--------|
| Ohio College of Podiatry | 44,770 |
|--------------------------|--------|

|       |         |
|-------|---------|
| Total | 131,695 |
|-------|---------|

Schools and colleges of pharmacy

[Amounts in dollars]

ALABAMA

|                   |        |
|-------------------|--------|
| Auburn University | 80,000 |
|-------------------|--------|

CALIFORNIA

|   |         |
|---|---------|
| University of California, San Francisco | 249,546 |
| University of Southern California       | 170,332 |

CONNECTICUT

|                           |         |
|---------------------------|---------|
| University of Connecticut | 180,488 |
|---------------------------|---------|

FLORIDA

|                       |       |
|-----------------------|-------|
| University of Florida | 1,950 |
|-----------------------|-------|

GEORGIA

|                       |        |
|-----------------------|--------|
| University of Georgia | 20,000 |
|-----------------------|--------|

INDIANA

|  |        |
|--|--------|
| Butler University  | 31,900 |
| Purdue University, School of Pharmacy and Pharmacal Sciences | 56,656 |

| IOWA                           |         | Ohio State University                        | 109,169   | Veterinary medicine        |           |
|--------------------------------|---------|--|-----------|----------------------------|-----------|
| Drake University               | 86,469  | University of Cincinnati                     | 37,244    | [Amount in dollars]        |           |
| University of Iowa             | 81,869  | OKLAHOMA                                     |           |                            |           |
| KENTUCKY                       |         | Southwestern State College                   | 71,755    | COLORADO                   |           |
| University of Kentucky         | 120,329 | OREGON                                       |           |                            |           |
| LOUISIANA                      |         | Oregon State University                      | 23,931    | University of Illinois     | 161,810   |
| Xavier University of Louisiana | 19,560  | PENNSYLVANIA                                 |           |                            |           |
| MARYLAND                       |         | Duquesne University                          | 14,150    | Purdue University          | 165,646   |
| University of Maryland         | 77,928  | Philadelphia College of Pharmacy and Science | 39,500    | IOWA                       |           |
| MICHIGAN                       |         | Temple University                            | 56,630    | Iowa State University      | 398,002   |
| Wayne State University         | 28,840  | University of Pittsburgh                     | 19,281    | KANSAS                     |           |
| MINNESOTA                      |         | SOUTH DAKOTA                                 |           |                            |           |
| University of Minnesota        | 95,820  | South Dakota State University                | 2,300     | Kansas State University    | 286,025   |
| MISSISSIPPI                    |         | TEXAS  |           |                            |           |
| University of Mississippi      | 13,800  | University of Houston                        | 43,000    | LOUISIANA                  |           |
| MONTANA                        |         | UTAH   |           |                            |           |
| University of Montana          | 12,225  | University of Utah                           | 9,255     | MICHIGAN                   |           |
| NEW JERSEY                     |         | VIRGINIA                                     |           |                            |           |
| Rutgers University             | 23,725  | Medical College of Virginia                  | 31,329    | MISSOURI                   |           |
| NEW YORK                       |         | WASHINGTON                                   |           |                            |           |
| Albany College of Pharmacy     | 30,680  | Washington State University                  | 62,290    | University of Missouri     | 286,347   |
| Brooklyn College of Pharmacy,  |         | WEST VIRGINIA                                |           |                            |           |
| Long Island University         | 82,979  | West Virginia University                     | 48,391    | OHIO                       |           |
| St. John's University          | 55,890  | WYOMING                                      |           |                            |           |
| OHIO                           |         | University of Wyoming                        | 19,427    | University of Pennsylvania | 273,987   |
| Ohio Northern University       | 16,125  | Total  | 2,124,263 | Total                      | 2,436,811 |

## DIVISION OF NURSING

## SPECIAL PROJECT GRANTS FOR IMPROVEMENT IN NURSE TRAINING, APPROVED BUT NOT FUNDED AS OF JUNE 22, 1970

| Grant No. | Applicant  | Title   | 1st year | Grant No. | Applicant   | Title  | 1st year  |
|-----------|--|---|----------|-----------|---|--|-----------|
| 9535      | University of Wisconsin, Madison, Wis., beginning Sept. 1, 1970—May 1970 council.                                | Identification of different approaches to clinical specialization in graduate education in nursing.   | \$46,708 | 626       | University of Oregon, Portland, Ore., beginning Aug. 1, 1970—May 1970 council.                  | Development of continuous program instruction in medical surgical nursing.   | \$136,731 |
| 9589      | Maine State Nurses' Association, Augusta, Maine, beginning Aug. 1, 1970—May 1970 council.                        | Statewide planning for nursing education in Maine.  | 49,284   | 9564      | The Ohio State University, Columbus, Ohio, beginning Aug. 1, 1970—May 1970 council.             | Area planning meetings for continuing education.   | 25,851    |
| 9600      | Mankato State College, Mankato, Minn., beginning Sept. 1, 1970—May 1970 council.                                 | Planning grant for a project to prepare American Indians for a baccalaureate program.   | 30,195   | 617       | Yale University, New Haven, Conn., beginning Aug. 1, 1970—May 1970 council.                     | Project proposal for pediatric nurse specialists training program.   | 28,058    |
| 9605      | North Park College, Chicago, Ill., beginning Aug. 17, 1970—May 1970 council.                                     | Department of nursing self-study and evaluation.  | 6,360    | 550       | University of Washington, Seattle, Wash., beginning Aug. 1, 1970—May 1970 council.              | Analysis and revision of the baccalaureate program in nursing at the University of Washington School of Nursing.   | 74,058    |
| 9582      | Community Maternity Institute, Santa Fe, N. Mex., beginning Aug. 1, 1970—May 1970 council.                       | A study to determine the need and scope for educational programs in nurse midwifery and/or continuing education for maternity nursing in New Mexico and the direction each should take. | 48,241   | 542       | Catholic University of Puerto Rico, Ponce, beginning Aug. 1, 1970—May 1970 council.             | Establishment of a new associate degree nursing program.   | 96,039    |
| 539       | Herbert H. Lehman College, Bronx, N.Y., beginning Sept. 1, 1970—May 1970 council.                                | Planning, development and establishment of new nursing program.   | 49,503   | 9575      | The University of Tennessee, Memphis, Tenn., beginning Aug. 1, 1970—May 1970 council.           | A project to assist faculty in identifying and planning feasible approaches to improvement of the teaching-learning process and to better utilization of faculty in this process.  | 40,561    |
| 567       | Kirkwood Community College, Cedar Rapids, Iowa, beginning Aug. 1, 1970—May 1970 council.                         | Title II nurse training, establish new associate degree nursing program.  | 32,371   | 596       | Seattle University, Seattle, Wash., beginning Sept. 1, 1970—May 1970 council.                   | A project to develop a baccalaureate curriculum that integrates family and community health, capitalizes on liberal arts resources of the institution through multi-disciplinary studies, is more efficient in time, money and faculty utilization and is adaptable. | 50,504    |
| 599       | Georgia Southwestern College, Americus, Ga., beginning July 1, 1970—May 1970 council.                            | Study of an existing associate degree program with emphasis on curriculum development and teaching methods.   | 23,600   | 603       | Jamestown College, Jamestown, N. Dak., beginning Sept. 1, 1970—May 1970 council.                | Curriculum improvement and clinical resources utilization improvement to obtain NLN accreditation as a school of nursing and to permit enrollment expansion and increased quality of training provided.  | 43,226    |
| 540       | University of Pennsylvania, Philadelphia, Pa., beginning Sept. 1, 1970—May 1970 council.                         | Exploration and development of new community facilities through which the objectives of the community health aspects of the curriculum can be more creatively achieved.                 | 17,840   | 613       | University of Guam, Agaña, Guam U.S.A., beginning Aug. 1, 1970—May 1970 council.                | The development of multi-media systems of instruction to improve and individualize nursing education at the University of Guam, U.S.A.   | 157,116   |
| 581       | Arizona State University, Tempe, Ariz., beginning Aug. 1, 1970—May 1970 council.                                 | Graduate program in medical-surgical nursing.   | 29,509   | 577       | West Liberty State College, West Liberty, W. Va., beginning Sept. 1, 1970—May 1970 council.     | Development of the clinical component of the curriculum for the 2d year of the associate degree program, emphasis on nursing of children and adults.   | 58,710    |
| 562       | Wenonah State Junior College, Birmingham, Ala., beginning Aug. 1, 1970—May 1970 council.                         | Curriculum implementation in an ADN program that admits students who need compensatory education.   | 49,800   | 556       | St. Mary's Memorial Hospital, Knoxville, Tenn., beginning Aug. 1, 1970—May 1970 council.        | A remedial program for "high risk students" in nursing.  | 7,860     |
| 615       | Imperial Valley College, Imperial, Calif., beginning Aug. 1, 1970—May 1970 council.                              | To plan, develop, and establish an associate degree registered nursing training program.  | 18,150   | 587       | Children's Hospital of Los Angeles, Calif., beginning Aug. 1, 1970—May 1970 council.            | Mutual expectations for the neophyte staff nurse—a cooperative effort of nursing education and service.  | 49,860    |
| 9610      | Oregon Technical Institute Klamath Falls, Oreg., beginning Sept. 1, 1970—May 1970 council.                       | Development of an associate in arts nursing program at OTI.   | 21,347   | 537       | Lake Superior State College, Sault Ste. Marie, Mich., beginning Sept. 1, 1970—May 1970 council. | Application for special project grant for a new associate degree program at Lake Superior State College.   | 62,017    |
| 573       | Kent State University, Kent, Ohio, beginning Aug. 1, 1970—May 1970 council.                                      | Financial assistance to meet cost of operation.   | 123,193  | 524       | Nazareth College, Kalamazoo, Mich., beginning Sept. 1, 1970—May 1970 council.                   | Baccalaureate degree program of nursing in serious financial straits to meet costs of operation.   | 66,512    |
| 432       | University of Nevada, Reno, Nev., beginning July 1, 1970—May 1970 council.                                       | Intercampus cooperation in the development and implementation of innovative programs of graduate education in nursing.  | 119,205  |           |   |  |           |
| 597       | Marymount College, Salina, Kans., beginning August 1, 1970—May 1970 council.                                     | Improvement, expansion and strengthening of the community nursing educational component.  | 22,300   |           |   |  |           |
| 959       | Children's Orthopedic Hospital and Medical Center, Seattle, Wash., beginning September 1, 1970—May 1970 council. | A change of ward environment to give the staff nurse more involvement in patient care.  | 22,845   |           |   |  |           |

DIVISION OF NURSING—Continued

SPECIAL PROJECT GRANTS FOR IMPROVEMENT IN NURSE TRAINING, APPROVED BUT NOT FUNDED AS OF JUNE 22, 1970—Continued

| Grant No. | Applicant   | Title  | 1st year | Grant No. | Applicant   | Title  | 1st year  |
|-----------|---|--|----------|-----------|---|--|-----------|
| 561       | University of Puerto Rico, Mayaguez, P.R., beginning Aug. 1, 1970—May 1970 council.   | Plan to establish a baccalaureate nursing program at the University of Puerto Rico at Mayaguez.  | \$60,400 | 9574      | St. Mary's Dominican College, College, New Orleans, La., beginning Aug. 1, 1970—May 1970 council.   | Planning grant for a new baccalaureate degree program in nursing education planning grant for new program of nursing education.          | \$20,461  |
| 569       | Helene Fuld School of Nursing, New York, N.Y., beginning Sept. 1, 1970—May 1970 council.  | Study of the admission standards of a 15-month upward-mobility nursing program: LPN and RN.  | 32,506   | 9461      | Arkansas State Nurses' Association, Little Rock, Ark., beginning Jan. 1, 1970—November 1969 council (has received departmental approval). | Planning for delivery of optimal nursing services in Arkansas.   | 26,886    |
| 536       | Kilgore College, Kilgore, Tex., beginning Aug. 1, 1970—May 1970 council.  | Developing and improving the curriculum in a new associate degree nursing program.   | 48,396   | 534       | University of Arizona, Tucson, Ariz., beginning Sept. 1, 1970—May 1970 council.   | Continuing education program for registered nurses.  | 22,840    |
| 9521      | Allied Health Manpower Council of Santa Clara County, San Jose, Calif.—May 1970 council.  | Management information study of nursing education, Santa Clara County.   | 20,050   | 580       | State University of New York at Canton, N.Y., beginning Sept. 1, 1970—May 1970 council.   | Curriculum improvement through the use of new media in the development and reinforcement of manual and technical skills in nursing.      | 19,639    |
| 570       | West Chester State College, West Chester, Pa., beginning Aug. 1, 1970—May 1970 council.   | Plan, develop and establish a bachelor of science degree program in nursing at West Chester State College, West Chester, Pa.                       | 27,700   | 475       | State College of Arkansas, Conway, Ark., beginning Jan. 1, 1970—November 1969 council (has received departmental approval).               | An alternative public health experience for the undergraduate registered nurse student.  | 48,431    |
| 578       | Mercy College of Detroit, Detroit, Mich., beginning Aug. 1, 1970—May 1970 council.  | To improve the teaching of nursing through provision of adequate teaching facilities in a college which is in serious financial need.              | 55,591   | 384       | Amarillo Hospital District, Amarillo, Tex., beginning June 1, 1969—March 1969 council (has received departmental approval).               | A project to improve and expand student personnel services due to increased enrollment.  | 46,796    |
| 9518      | University of Albuquerque, Albuquerque, N. Mex., beginning Sept. 1, 1970—March 1970 council (has received departmental approval). | Development of a cooperative plan to meet nursing education needs in New Mexico.   | 35,509   | 558       | College of St. Mary, Omaha, Nebr., beginning Aug. 1, 1970—May 1970 council.   | The establishment of an associate degree nursing program College of Saint Mary, Omaha, Nebr.   | 179,808   |
| 9585      | Video Nursing, Inc., Evanston, Ill., beginning Sept. 1, 1970—May 1970 council.  | Planning for production and distribution of multimedia software for continuation education and independent learning opportunities in nursing.      | 47,628   | 592       | Mount Mercy College, Cedar Rapids, Iowa, beginning Aug. 1, 1970—May 1970 council.   | Establishment, development, and implementation of a professional nursing core curriculum, based on man's behavior in health and illness. | 162,519   |
| 541       | University of Puerto Rico, Mayaguez, P.R., beginning Aug. 1, 1970—May 1970 council.   | A plan for preentrance orientation to nursing and for remedial work for potential dropouts at the University of Puerto Rico at Mayaguez campus.    | 40,110   | 619       | College of St. Benedict, St. Joseph, Minn., beginning Aug. 1, 1970—May 1970 council.  | Development of a new baccalaureate degree program in nursing.  | 142,170   |
| 622       | University of Alabama at Birmingham, beginning Sept. 1, 1970—May 1970 council.  | A program of remediation for the academically disadvantaged nursing student at the University of Alabama School of Nursing.                        | 28,657   | 9408      | Boston University, Boston, Mass., beginning June 1, 1970—June 1969 council.   | Preliminary exploration and planning for the establishment of a program of continuing education.   | 15,552    |
| 9618      | Columbia University, New York, N.Y., beginning Aug. 1, 1970—May 1970 council.   | Planning for reorganization and extension of the undergraduate program in nursing.   | 36,250   | 9456      | Johns Hopkins University, Baltimore, Md., beginning June 1, 1970—November 1969 council.   | A plan for university participation in continuing education of public health nurses supervision.   | 23,695    |
| 244-03S   | Indiana University, Bloomington, Ind., beginning Sept. 1, 1970—May 1970 council.  | Development and evaluation of a system for improving the teaching-learning process in nursing.   | -----    | 584       | Mobile General Hospital, Mobile, Ala., beginning Oct. 1, 1970—May 1970 council.   | Mastin School of Nursing assistance program.   | 276,198   |
| 332-013   | University of Missouri, Columbia, Mo., beginning Sept. 1, 1970—March 1970 council (has received departmental approval).           | Multi-media self-instruction in maternal-child nursing at the baccalaureate level.   | 85,815   | 9525      | Medical College of Georgia, Augusta, Ga., beginning Aug. 1, 1970—May 1970 council.  | Planning for a statewide continuing education program in nursing for Georgia.  | 54,115    |
| 522       | Indiana University, Bloomington, Ind., beginning Aug. 1, 1970—May 1970 council.   | Improving student achievement in nursing education through prediction and remediation of low achievement and failure in specific freshman courses. | 24,614   | 440       | Manatee Junior College, Bradenton, Fla., beginning June 1, 1970—June 1969 council.  | A study visit program to improve teaching in associate degree nursing education.   | 26,595    |
| 184-04S   | St. Louis University, St. Louis, Mo., beginning Sept. 1, 1970—May 1970 council.   | Improvement and expansion of a graduate program for the preparation of cardiovascular nursing specialists.   | -----    | 621       | University of Alabama at Birmingham, beginning Sept. 1, 1970—May 1970 council.  | Development of a major in cardiovascular nursing in the graduate program in nursing at the University of Alabama in Birmingham.          | 26,764    |
| 604       | Antelope Valley Joint Junior College, Lancaster, Calif., beginning Sept. 1, 1970—May 1970 council.                                | Associate degree (2 years) registered nursing training program (new program).  | 79,985   | 241-03S   | Catherine Laboure School of Nursing, Boston, Mass., beginning Sept. 1, 1970—May 1970 council.   | An independent diploma program assesses its effectiveness and its future in nursing education.   | -----     |
| 523       | Southeastern Massachusetts University, North Dartmouth, Mass., beginning Sept. 1, 1970—May 1970 council.                          | Development of a curriculum for a college of nursing at Southeastern Massachusetts University.   | 69,099   | 9433      | Bell State University, Muncie, Ind., beginning Sept. 1, 1969—June 1969 council.   | Planning for educational media for the enhancement of the teaching-learning processes in a baccalaureate program.                        | 51,804    |
| 609       | Albright College, Reading, Pa., beginning Sept. 1, 1970—May 1970 council.   | Further development and implementation of a baccalaureate nursing program in a liberal arts college.   | 57,427   | 129-05    | University of North Dakota, Grand Forks, N. Dak., beginning Jan. 1, 1970—March 1969 council.  | Project grant for improvement in nurse training: A program for improved utilization of curriculum and clinical learning experience.      | 23,299    |
|           |   |  |          | 447       | University of Colorado Medical Center Denver, Colo., beginning Jan. 1, 1970—November 1969 council.  | A learning resource laboratory: An innovative approach to teaching and learning.   | 16,000    |
|           |   |  |          |           | Grand total.....  |  | 3,811,377 |

THE MIDDLE EAST IS THE REAL PROBLEM AREA

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

Mr. SIKES. Mr. Speaker, sometimes it is difficult to keep track of the number and gravity of the problem areas which beset the world. The big problem for years and years has been Southeast Asia and it is obvious this one is not over. Nevertheless, it is equally obvious that we are making significant progress there. American troops are being withdrawn at a steady pace and the South Vietnamese are showing a growing ability to cope with the requirements of war even though the Communists now are trying

to take over Cambodia as well as Laos and South Vietnam. Russia wants the war in Southeast Asia ended but Red China does not, and both are continuing to provide supplies for Communist forces in Indochina.

There is another problem area where the threat to world peace is growing. It is the Middle East where the Israeli-Arab confrontation is being aggravated by increasing Russian involvement. At stake is control of the oil and the people of the Middle East and the Western approaches to the Indian Ocean which would be available through a reopened Suez Canal. Russia has made sophisticated weapons available to the Arab states and these have been accompanied by Russian technicians. Now the Israelis

have charged Russian pilots with piloting Egyptian aircraft and Russian personnel with manning surface-to-air missile sites inside Egypt. Such a policy, if pursued and extended, would mean the end of the Jewish state. The odds in personnel are about 100 to 1 in favor of the Arabs. The Israelis have been successful by dint of hard work in their domestic economy and by lightning strikes against their larger neighbors in war. But they cannot defeat both Arabs and Russians.

The United States is heavily committed to Israel and is unlikely to stand by while the extermination of the Jewish state is taking place. Thus, for the first time since the Cuban missile confrontation, we have Russia and the

United States approaching a showdown. Unfortunately—for a settlement—the Russians have a great deal more at stake in the Middle East than they had in Cuba and they are in much better position to defend their position in the Middle East.

By contrast the United States is neither militarily nor mentally prepared for a war in the Middle East.

If the United Nations were an effective agency, it could have contributed immeasurably to the solution of the problems in the Middle East, but to expect results from the U.N. became wishful thinking long ago.

Here is a problem which calls for the coolest and most careful handling within American capability. What is taking place is equally important to all of the nations of the free world. I question that the full gravity of the problem has been presented to the rest of the world or that we are giving the problem as much attention as it deserves. Recent newspaper accounts indicate there may be some fumbling at top levels on our side. We cannot afford this. We should have a task force of our most capable experts actively working for a solution. The obvious course is a settlement in the Middle East, but it is not going to be possible to get a settlement that is satisfactory to either side. That means some give and take by both is necessary. The responsible nations of the world must attempt to avoid a war in the Middle East which could expand into world conflagration. It should be possible to accomplish this by joint action. The United States needs to convince the Western Powers of the gravity of the situation and the essentiality for action. The Russians have a similar responsibility among the Iron Curtain nations.

Time is running. There may not be much left. The United States may now be confronted with its greatest peacetime problem in history—the problem of keeping peace in the Middle East without surrendering the area to the Russians. We must work harder at the task than we now are doing.

#### 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. Of the 52,000 credit unions in the world, 23,210 were in the United States in 1967. Of the 30,800,000 world members over 19,000,000 were Americans.

#### REPORT ON DRUG ABUSE IN FLORIDA

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

Mr. FASCELL. Mr. Speaker, a specially created Task Force on Narcotics, Dangerous Drugs, and Alcohol Abuse in Florida

recently reported its findings and recommendations after a 12-month, interdisciplinary study of that challenging problem.

Because it represents the first comprehensive statewide analysis of Florida's problem of narcotics, dangerous drugs, and alcohol abuse, I insert, for the benefit of my colleagues, salient portions of the report along with a listing of the Task Force members. I call attention to findings 4 and 5 dealing with the effects and classification of marihuana.

#### DRUG ABUSE IN FLORIDA

(A report by the Governor's Task Force on Narcotics, Dangerous Drugs, and Alcohol Abuse, May 1970)

#### THE TASK FORCE

Richard L. Rachin, Chairman, Chief, Bureau of Group Treatment, Florida Division of Youth Services.

Charles R. Reusing, Task Force Planner.

Alexander Bassin, Ph.D., Professor of Criminology, Florida State University.

Rose Bell, Executive Director, Mental Health Association of Orange County.

Colleen Bevis, President, The Florida Congress of Parents and Teachers.

H. F. Bevis, Secretary Florida Board of Pharmacy.

John D. Buchanan, Jr., Assistant Public Defender, Second Judicial Circuit Court.

L. P. Carmichael, M.D., Director, The Division of Family Medicine, University of Miami.

Joseph H. Davis, M.D., Chief Medical Examiner, Dade County.

James Doyle, Associate Professor, Urban and Regional Planning, Florida State University.

Morris L. Eaddy, Ph.D., Director, Community Mental Health Center of Escambia County.

Kenneth F. Finger, Ph.D., Dean, College of Pharmacy, University of Florida.

James Jones, Lieutenant, Volusia County Sheriff's Office.

Lewis Kapner, Judge, Juvenile Court of Palm Beach County.

Frank D. Nelson, Vice Chairman, Program Analyst, Division of Mental Health, Tallahassee, Florida.

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Ben Theisen, Regional Director, Federal Bureau of Narcotics and Dangerous Drugs, Miami, Florida.

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The Task Force on Narcotics, Dangerous Drugs and Alcohol Abuse has given its attention to bringing into focus a drug scene which in many cases has been blurry, distorted, and poorly developed. The issues faced were complex, and emotionally charged.

While obvious difficulties of time and resources did not permit an adequate evaluation of all the data collected, nevertheless, it seemed that some important preliminary statements and judgments could be made.

This report is then not an in-depth evaluation of the drug scene, but we believe it does offer the first comprehensive statewide analysis of Florida's problem of narcotics, dangerous drugs and alcohol abuse.

Many authorities were consulted and helped us probe behind the myths and half-truths that so often shroud the issues of drugs and alcohol abuse. No one knew all the facts nor pretended to have the answers. This added to—rather than detracted from—the thrust and impact of the Task Force Report.

All looked at the problem of narcotics, dangerous drugs and alcohol abuse objectively and with little emotion. While there was much divergence of opinion, all agreed that the problems were complex and difficult.

No startling solutions were discovered. No cure-alls were announced. Nor were any expected. But a solid beginning was made. A pattern has begun to emerge as a result of this groundwork by the Task Force—a pattern we believe which could lead to better understanding, and positive constructive action.

The Task Force study underlined several important facts:

1. That time available to us to avoid the problems which other states now face is fast running out.

2. We have a major, long-existing, and relatively neglected problem of alcohol abuse.

3. We have a mounting problem of narcotic and dangerous drug abuse.

4. There are inconsistencies in our laws which require examination and revision.

5. The majority of our "narcotic" arrests (Chapter 398, Florida Statutes) are of young people who are probably one time or casual marihuana experimenters who do not progress to abuse of the more potent drugs.

6. Various modes of drug behavior both appear and run their course later in Florida than is true nationally. For example, LSD use, which has fallen off elsewhere, in Florida accounts for approximately the same number of confiscated submission to crime laboratories as marihuana.

7. Our drug laws may have a more disabling than constructive effect.

8. Narcotic drug addicts and alcoholics are sick people in a physical and socio-psychological sense and as such, require treatment and not punishment.

9. A disproportionate amount of energy is spent investigating and arresting youthful

experimenters and small time users rather than the big time hoods and money merchants.

10. Few professionals whose work puts them on the firing line seem adequately trained or knowledgeable about drug identification, use, symptomatology, treatment, or other aspects of the drug scene for which their professional services are required.

11. Existing drug prevention, control, and treatment programs are woefully inadequate and largely ineffective.

While adequate funds must be provided for serious efforts to prevent, control, and treat these haunting problems, the Task Force believes that money itself will provide no solution. Traditional calls for more funds, more legislative support—as important as they are—will not resolve our problems. Drug and alcohol abuse affect the very fiber of our society: its youth, its manhood, its lifeblood, its economy, and culture. This is a problem that reaches into the classroom, the neighborhood, the penthouse, the ghetto, and the entire family unit without regard to race, creed, or national origin. Ours is a drug dependent, drug immersed society.

What are some of the specific findings of the Task Force? They are many, and varied. Some demand immediate attention. Above all, the Task Force found voids. Such as:

1. The void between fact and what the public suspects, believes and often hears about narcotics, dangerous drugs and alcoholism.

2. A critical lack of substantive data regarding the distribution, forms, and incidence of both licit and illicit drug abuse.

3. An insufficiency of scientific research and understanding on the short and especially long term effects of dangerous drugs and narcotics. The Task Force believes that it is playing blind man's bluff to make decisions without having the facts.

4. Poorly organized, factually lacking, and largely uncoordinated preventive-educational resources.

5. A dearth of treatment services for both those who are dependent on drugs and those who appear vulnerable to such involvement.

6. A sometimes awkward gap, or communications breakdown, between educators and their students. Many officials appear unaware of, deny the existence of, or seem immobilized by drug abuse problems in their own schools. This gap quickly surfaced when the Task Force polled educators about the problems of drugs and alcoholism in their respective areas. Many officials, unable to respond, passed the Task Force's queries on to law enforcement officials for an assessment of the problem. The Task Force found that many of the school officials admitted that no one in the school system had any idea whatsoever of the extent of alcohol and drug abuse among the teenagers in their county.

#### FINDING 2

The Task Force found a need for perspective in looking at an understanding the problems of drug use and abuse. Much attention and publicity has been focused on a somewhat myopic obsession with certain drugs, while other substances of abuse remain largely ignored. The issues sometimes have become distorted and put out of balance. Putting things in perspective, the Task Force Report showed that:

1. The abuse of alcohol and nicotine is unrivaled by any other drug.

2. The alcoholic is often the head of a family, a well respected business man, a factory worker, a government executive, a physician, an office employee, a troubled mother. The overwhelming percentage of alcoholics appear to lead respectable-conventional lives.

3. The drug abuse problem is much more prevalent than that shown by statistics on arrests, adjudications, or commitments.

4. In most cases, the source in America today of abused drugs is not a slick, heartless so-called "pusher" on a dark street corner or

secluded alley. Most abused drugs in America are freely and/or legally available.

5. Scientific evidence indicates that all drugs are potentially dangerous and that distinguishing between licit and illicit drug abuse is a mistaken, unfortunate, but popular *cul de sac*. Sensationalism, half-truths, and plain old myths often distort the facts about drug misuse and abuse.

6. Overwhelming data reveals that imprisonment and harsh punishment of drug experimenter and drug addicts accomplishes little and deters precious few.

7. Importers, wholesalers, and others who traffic in illicit drugs are rarely arrested, infrequently convicted, and the least likely of all those involved in the drug world to end up in prison.

8. The law must shatter or make so precarious the profit motive for illicit drug entrepreneurs that professional criminals become convinced that the risks far outweigh the rewards.

#### FINDING 3

The Task Force found that the problem of alcoholism seems largely ignored. The public is preoccupied with the mystique surrounding the issue of youthfully popularized drugs. The alarming, hard core facts about alcoholism are not widely known.

1. Taken in the context of magnitude of abuse and resulting health damage, economic loss and adverse social effects, alcohol still ranks above all chemicals that are harmful to man. Florida is estimated to have 160-170 thousand alcoholics compared to 2-3 thousand heroin addicts.

2. Alcoholic impairment of judgment is considered the greatest single causative factor behind fatal automobile accidents, and a large percentage of homicides occur in an alcoholic environment. Alcohol is also known to have played a part in a large percentage of suicide cases.

3. Blame for public apathy and ignorance about alcoholism can be pointed in many directions. Vested interests and the widespread respectable use of alcohol masks its characterization as the nation's most prevalent and dangerously abused drug.

4. Statistics have shown that the employed problem drinker represents a \$72 million annual loss to Florida's non-agricultural industry.

5. A crucial need exists for both in and out-patient facilities to handle alcoholism.

#### FINDING 4

So much has been sensationalized and speculated about narcotics and dangerous drugs that it has become difficult to see the fire because of the smoke. The public, as a result of this, has tended to mythologize drugs, the drug scene, and drug use. A sharper and less emotionalized focus would help bring about a better understanding of the problem of narcotics and dangerous drugs in Florida. Beneath the smoke screen, the Task Force found that:

1. The use of heroin and the other so-called hard narcotics in Florida seems both insignificant and blown out of proportion when compared to the abuse of other drugs.

2. It is important to distinguish between the terms narcotic and non-narcotic drugs. In the public mind drugs and narcotics are too often used interchangeably. Narcotic drugs are depressants that produce drowsiness, sleep, dullness, or an insensible condition and lessen pain by dulling nerves. Narcotics are both physically and psychologically addictive. Examples are morphine, heroin, codeine, and methadone.

3. A physically addictive drug results in tolerance in which greater amounts of the drug are needed to experience the same effects and withdrawal symptoms are experienced when the drug is eliminated.

4. Next to alcohol, barbiturates are the most widely used and abused of the depressant drugs, and when taken in large uncon-

trolled amounts they become extremely dangerous. Combined with alcohol they are potentially lethal. They are dangerous for other reasons. The user may become confused about how many pills he has swallowed and take a fatal overdose; abrupt withdrawal can result in convulsions and in certain cases death.

5. Aside from their use in treating narcolepsy and hyperkinesia, amphetamines have little legitimate medical use. Acute or chronic abuse can result in a paranoid psychosis with delusions and hallucinations and sometimes aggressive-assaultive behavior.

6. LSD, one of the best known hallucinogenic drugs, is odorless, colorless, and tasteless. Its use is reported to sharply accentuate or distort the senses. LSD users on bad trips may be serious suicide risks. LSD is recognized to be an extremely powerful and dangerous drug. While its use appears to have fallen off nationally, such does not yet appear to be the case in Florida.

7. Heroin is the most commonly used illicit dangerous drug of addiction in the nation today. It has been estimated that 90% of the persons convicted of felonious "hard drug" use in the United States are heroin users.

8. Although classified legally as a narcotic (pharmacologically marijuana is an hallucinogen) marijuana usage in and of itself does not lead to physical dependence and the body does not develop a tolerance for the drug.

9. Marijuana users and non-users need to realize that even though marijuana is not physically addictive, chronic use does result in the development of a psychic dependency which may be difficult to overcome. In addition, a false sense of well being and space distortions may propel some individuals into activities injurious to their own well being.

#### FINDING 5

The most commonly used illicit drug in Florida is marijuana. Its use is widespread on college campuses and in many high schools and junior highs. Educators in some sections feel that marijuana usage has spread into the elementary school level. The Task Force Report revealed a thirst for factual information about marijuana. It showed that a reasoned look is being taken at present laws dealing with marijuana which generally are recognized as being harsh and unworkable. Despite the beliefs of some, no evidence was uncovered establishing a link between the use of marijuana and later involvement with the so-called "hard drugs".

1. The Task Force believes that it is vital to distinguish between marijuana and the addicting drugs. Marijuana is not addicting. There have been no known lasting physical effects reported from the use of marijuana and no documented fatalities have been reported from the use of marijuana alone. However, research has not yet answered the many questions about the potential hazards of this drug which remain yet to be addressed.

2. The Task Force, based on its own review of the Florida Statutes, and its survey of various authorities found that Florida needs to reevaluate its laws governing the possession and use of marijuana. It feels a change is needed in the legal classification of marijuana. Both state and Federal laws treat marijuana as a narcotic even though there is no scientific evidence to warrant such a classification.

3. The Task Force found, in its poll of juvenile court judges, for example, that a recommendation which was mentioned on several occasions suggested the passage of more realistic drug laws, especially in relation to marijuana. Many juvenile court judges do not look upon youths referred to their courts for marijuana possession as hard-core delinquents and are hesitant to apply the full force of existing state law. The Task Force believes that Florida's drug laws have several glaring deficiencies that need to be corrected. Despite an abundance

of evidence, for example, showing that LSD, methamphetamine, and other illicitly used drugs are vastly more dangerous, the penalties for possession and sale of marijuana remain far more severe than they are for these more powerful drugs.

The Task Force thus would recommend:

1. A thorough review of the law dealing with the classification of marijuana, with an eye towards bringing the Statutes up to date and in accord with current scientific knowledge.

2. A review of the penalties for possession and use of marijuana, as compared to the law for other more potent hallucinogens as well as other drugs, with the goal of making the law more uniform, equitable, and workable.

#### FINDING 6

Examination of the problem of narcotics, dangerous drugs and alcohol abuse immediately points up the value of educational-preventive programs accurately informing adults and young people of the facts about drug abuse. Careful study of our drug problems, such as that conducted by the Task Force, spells out in capital letters the importance of this. The Task Force firmly believes that educators must become more deeply concerned and involved in promoting programs to inform youths and adults of the pitfalls of drug and alcohol abuse.

The Task Force believes that effective preventive-educational programs are needed in the public schools. Our elementary and secondary schools in Florida are in a strategic position to offer preventive programs in the area of drug and alcohol abuse. Much more must also be done in our colleges and universities. A look at the drug and alcohol abuse problem on the educational front showed that:

1. Educators are not deeply involved as yet with the problems of drug and alcohol abuse in all areas of the state.

2. Most drug prevention programs and efforts in the State of Florida were initiated by law enforcement agencies, with the major share of this responsibility residing with the local police.

3. Almost all law enforcement agencies presented with a drug problem have developed or used some type of printed material for public distribution, but some of the material is neither well prepared nor presented and in some cases is inaccurate.

4. Educators must encourage the active participation and involvement of the academic community in developing plans and programs to reinvolve rather than repel young people with drug problems.

5. The problems of drug abuse and alcoholism appear concentrated in urban areas, presenting a major challenge to officials in the larger public schools.

6. Better communication between young people and adults is vitally needed.

7. Lecturing, entreating or moralizing has not worked. Drug abuse remains symptomatic of other more basic problems. It behooves us to recognize this and plan to do something about it.

#### CONCLUSION

The Task Force has found that much more work is needed to tackle the problem of narcotics, dangerous drugs and alcohol abuse. Many people have participated unselfishly and with dedication in programs on drugs and alcohol abuse, some of them imaginative, innovative, and attuned to present day challenges. But greater effort is needed. Many persons have delved deeply into researching the problems of drug and alcohol abuse. But again, much more is needed and the Task Force believes that, whatever the results, accuracy and honesty must be guides. The value of scare tactics with today's well informed young people is senseless and self-defeating. Truth is the key.

State and local agencies, most often through no fault of their own, have been found lacking in programs and plans to care for people with drug problems. A full spectrum of services is needed where people with drug and alcohol problems could be referred. Coordination, communication, and cooperation are needed at all levels. Scores of organizations and groups are studying the problems of drugs and alcohol abuse and in some cases implementing programs, but few are pooling their resources, findings, or efforts.

Above all, the Task Force believes that Floridians must realize that the problem of narcotics, dangerous drugs and alcohol abuse is not going to go away if it's ignored or blindly assaulted. It is here to stay until effectively combated. And we are not going to do that by concentrating on symptoms and ignoring causes. The problem effects us all—and it may be a lot closer to home than we think.

#### THE NATIONAL COUNCIL ON ORGANIZED CRIME—NO STATE, LOCAL OR PRIVATE REPRESENTATION

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

Mr. FASCELL. Mr. Speaker, on June 4, 1970, the President established the National Council on Organized Crime whose purpose it will be "to formulate a national strategy for the elimination of organized crime." The Executive order, which appears after my remarks, designates 18 officials of the Federal Government to serve as members of the Council. The Attorney General will serve as Chairman.

I applaud the President for demonstrating the need for a coordinated national strategy against organized crime.

As established by the President, the National Council on Organized Crime is composed of 18 members, eight of whom represent various units of the Department of Justice and seven of whom represent units of the Treasury Department. The three remaining members are the Secretaries of the Departments of Labor and the Post Office and the Chairman of the Securities and Exchange Commission.

It is no longer subject to question that organized crime touches on nearly every aspect of American life, that it respects neither geographic boundaries nor agency jurisdictions, and that unless Government becomes as organized as syndicated crime is an expansion of organized crime influence looms ahead.

For these and other reasons I am dismayed by the composition of the Council and by the absence of any specific directives which would clarify and institutionalize procedures for the Government-wide effort against organized crime.

No representatives of any regulatory agency, other than the SEC, sit on the Council although the evidence is clear that organized crime infiltration of legitimate business presents a growing anti-competitive influence on the American marketplace, a clear danger that the American consumer will pay higher prices for inferior goods and services, and an increasing likelihood that Federal licenses, charters and privileges will be extended to persons and firms linked

to syndicated crime. All of these factors are or should be of vital concern to all Federal regulatory agencies. The Legal and Monetary Affairs Subcommittee in its continuing study of the Federal effort against organized crime has only too often found an unawareness on the part of Federal departments and agencies of the true impact that organized crime has on their area of jurisdiction.

Nor are the rest of the Cabinet-level departments represented on the Council. This in spite of the fact that multi-million dollar programs, vulnerable to organized crime incursion, are administered by the Departments of Commerce, Agriculture, and Housing and Urban Development to name just three.

But probably the most glaring deficiency of the National Council on Organized Crime, as announced by the President, is the omission of any representatives of State and local governments and of the private sector.

As the President stated on June 4, organized crime "can be felt in every level of American society." In other words, a national problem requiring intergovernmental and interdisciplinary attack. To achieve the "effective, coordinated national strategy for the elimination of organized crime," which is the Council's goal as stated by the President, State, and local contributions and cooperation are indispensable. And so are those of the private sector. The U.S. Chamber of Commerce, for example, would be an ideal representative on the Council in view of the nationwide programs it has commenced in this field.

A national strategy to deal with a national problem can only be devised by a representative national body. As structured, the Council does not meet that standard.

With respect to the responsibilities of the Council, it should also be pointed out that it appears to be merely advisory, and it has neither an operational nor a coordinating function. The establishment of the Council does not fully address the total problem. There are a number of longstanding Presidential directives concerning the Federal effort against organized crime.

On May 5, 1966, President Johnson directed a memorandum to the heads of all Federal departments and agencies. This memorandum, which also follows my remarks, directed the Attorney General to "act as a focal point of the Federal Government's attack on organized crime." In addition, the memorandum directed each investigative unit of all Federal departments and agencies to: First, review current organized crime programs and report thereon to the Attorney General; second, periodically report to the Attorney General on the progress of organized crime investigations, including data on personnel assigned to those investigations and evaluations of the prosecutive potential; and, third, establish "direct lines of liaison with the Department of Justice to enable the Attorney General to carry out his responsibility for directing this program."

On February 7, 1968, President Johnson issued Executive Order 11396 "pro-

viding for the coordination by the Attorney General of Federal law enforcement and crime prevention programs." Under that order the Attorney General was directed to coordinate the law-enforcement activities and programs of all Federal departments and agencies including those which are designed to assist State and local law-enforcement agencies. Importantly, the Attorney General was given authority to promulgate "such rules and regulations and take such actions as he shall deem necessary" to carry out his stated responsibilities. Moreover, each Federal department and agency was directed to cooperate with the Attorney General in the performance of his functions under that order. The order follows.

In addition, a number of congressional committees have examined the Federal effort and reported on what is needed. In June 1968 the House Committee on Government Operations after a series of hearings by the Legal and Monetary Affairs Subcommittee, which I chair, issued a report which, in general, found the Federal effort against organized crime to be inconstant, uncoordinated, and, at times, very ineffective. The report expressed concern that, despite existing authority, the Attorney General had not promulgated "any rules or regulations for the coordination of agency operations against organized crime"—Federal Effort Against Organized Crime; Report of Agency Operations, June 20, 1968, House Report No. 1574.

As the focal point of the Federal effort against organized crime the Attorney General needs the active assistance of all Federal agencies. There already exists ample authority under the previously mentioned Presidential order and memorandum to achieve a fully coordinated, constant, and effective Federal effort. In the alternative, the President's Executive order of June 4, 1970, should have been accompanied by a clear directive to the Attorney General regarding the issuance of guidelines for coordination and cooperation among all of the Federal departments and agencies.

I urge the President to amend the composition of the Council to give it balance and to expand on his directive so as to better enable the Council to meet the goal he has set for it.

The materials follow:

**ESTABLISHING THE NATIONAL COUNCIL ON ORGANIZED CRIME**

Whereas organized crime is a problem of national scope affecting numerous cities and states;

Whereas the problem of organized crime presents the Nation with a major challenge calling for coordinated Federal law enforcement efforts of maximum effectiveness;

Whereas it is necessary to formulate a national strategy for the elimination of organized crime:

Now, therefore, by virtue of the authority vested in me as President of the United States, it is ordered as follows:

There is hereby created a National Council on Organized Crime which shall be composed of the Attorney General, who shall be Chairman; the Secretary of the Treasury; the Secretary of Labor; the Postmaster General; the Chairman of the Securities and Exchange Commission; the Assistant Attorney General, Criminal Division; the Assistant Attorney General, Tax Division; the Assistant Secretary of the Treasury for Enforcement and

Operations; the Assistant Secretary of the Treasury for Tax Policy; the Administrator of the Law Enforcement Assistance Administration; the Director of the Federal Bureau of Investigation; the Director of the Bureau of Narcotics and Dangerous Drugs; the Director of the United States Secret Service; the Commissioner of Customs; the Commissioner of Immigration and Naturalization; the Commissioner of Internal Revenue; the Chief Counsel of the Internal Revenue Service; and the Chief of the Organized Crime and Racketeering Section, Criminal Division, Department of Justice. It shall be the responsibility of the Council to formulate a national strategy for the elimination of organized crime. The Council shall meet at the call of the Attorney General.

RICHARD NIXON.

THE WHITE HOUSE, June 4, 1970.

**PRESIDENTIAL DOCUMENTS: TITLE 3—THE PRESIDENT—EXECUTIVE ORDER 11396**

**PROVIDING FOR THE COORDINATION BY THE ATTORNEY GENERAL OF FEDERAL LAW ENFORCEMENT AND CRIME PREVENTION PROGRAMS**

Whereas the problem of crime in America today presents the Nation with a major challenge calling for maximum law enforcement efforts at every level of Government;

Whereas coordination of all Federal criminal law enforcement activities and crime prevention programs is desirable in order to achieve more effective results;

Whereas the Federal Government has acknowledged the need to provide assistance to State and local law enforcement agencies in the development and administration of programs directed to the prevention and control of crime;

Whereas to provide such assistance the Congress has authorized various departments and agencies of the Federal Government to develop programs which may benefit State and local efforts directed at the prevention and control of crime, and the coordination of such programs is desirable to develop and administer them most effectively; and

Whereas the Attorney General, as the chief law officer of the Federal Government, is charged with the responsibility for all prosecutions for violations of the Federal criminal statutes and is authorized under the Law Enforcement Assistance Act of 1965 (79 Stat. 828) to cooperate with and assist State, local, or other public or private agencies in matters relating to law enforcement organization, techniques and practices, and the prevention and control of crime:

Now, therefore, by virtue of the authority vested in the President by the Constitution and laws of the United States, it is ordered as follows:

SECTION 1. The Attorney General is hereby designated to facilitate and coordinate (1) the criminal law enforcement activities and crime prevention programs of all Federal departments and agencies, and (2) the activities of such departments and agencies relating to the development and implementation of Federal programs which are designed, in whole or in substantial part, to assist State and local law enforcement agencies and crime prevention activities. The Attorney General may promulgate such rules and regulations and take such actions as he shall deem necessary or appropriate to carry out his functions under this Order.

SEC. 2. Each Federal department and agency is directed to cooperate with the Attorney General in the performance of his functions under this Order and shall, to the extent permitted by law and within the limits of available funds, furnish him such reports, information, and assistance as he may request.

LYNDON B. JOHNSON.

THE WHITE HOUSE, February 7, 1968.

THE WHITE HOUSE—MEMORANDUM FOR HEADS OF DEPARTMENTS AND AGENCIES, MAY 5, 1966

Organized crime constitutes one of the most serious threats to a peaceful and prosperous society. It drains untold millions of dollars yearly from our national wealth. It carries corruption and violence in its wake. It erodes respect for the law.

The Federal investigative agencies can be proud of their accomplishments during the past several years in identifying and amassing evidence against the leaders of organized crime in this country. The success of the Department of Justice in securing indictments and convictions in organized crime cases is due to the ability of your many separate investigative units to work closely together toward a common goal. You have demonstrated that this unified coordinated program of action can be effective in combating organized crime.

I have today stated my determination to continue and accelerate this priority program.

To add further strength to our efforts, I have asked the Attorney General, as the Nation's chief law enforcement officer, to act as a focal point of the Federal Government's attack on organized crime.

I want each of you to give him your help and support.

To accomplish our purposes, each investigative unit in your department or agency participating in the drive against organized crime should:

Carefully review its current organized crime programs and present detailed status reports to the Attorney General, with emphasis upon allocation of personnel and upon suggested areas of new and additional investigation.

Report periodically in detail to the Attorney General on the progress of its organized crime investigations, showing for each current or proposed investigation the planned area of inquiry, the number and type of personnel assigned, and the expected prosecutive potential.

Establish direct lines of liaison with the Department of Justice to enable the Attorney General to carry out his responsibility for directing this program.

To uproot the menace of organized crime from our society, we must work closely together, attain new levels of cooperation and match our will with effective action.

LYNDON B. JOHNSON.

**ORGANIZED CRIME—YOUR SILENT PARTNER**

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

Mr. FASCELL. Mr. Speaker, one of the indispensable elements in an effective and overall effort against organized crime is the need to make the general public aware of the great harm caused by organized crime through its many nefarious activities. Over the past couple of years the National Chamber of Commerce has compiled a record of disseminating vital information on this threat, which record few if any private groups in the country can match.

Recently, the national chamber produced a speaker's packet on this subject. The packet contains a copy of a speech given by Mr. Louis Scalzo of the Law Enforcement Assistance Administration, four slides depicting the structure, associations, and activities of organized crime, and instructions on the use of the slides including statements accompanying their showing.

Because of their great value in increasing public awareness about this menace, I insert the aforementioned papers for the benefit of my colleagues:

#### ORGANIZED CRIME—YOUR SILENT PARTNER

The following pages of copy can be used with the four slides entitled, "Organized Crime—Your Silent Partner."

It is recommended that the person making the presentation use as his notes the wording on the slides. If the outline is read, be sure to read it slowly and point out on the screen where the various areas of operation are located.

After you have finished making the points concerning the fourth slide, put the third slide back on the screen so that it can be seen by the audience during the discussion.

The slides can be seen even though the normal house lights are on.

Normally, the slide presentation will take from 15–20 minutes which allows time for a few questions or additional remarks.

Pass out the sheet entitled, "Organized Crime—Your Silent Partner," following the presentation and before the discussion.

For those who want additional information, the "Deskbook on Organized Crime" is available through the Local Chamber or the Chamber of Commerce of the United States. Hold up a copy for everyone to see.

For additional information for the individual showing the slides, a copy of a speech made by Louis Scalzo of the Organized Crime Programs Division of the Justice Department is enclosed.

#### ORGANIZED CRIME—YOUR SILENT PARTNER (By Louis Scalzo)

Distinguished guests, ladies and gentlemen, it is indeed a pleasure to be here with you today. I would like to thank you for giving me the opportunity to share some ideas regarding the subject of organized crime.

Recently, in a discussion a key law enforcement official in a Western state was asked to comment on the subject of organized crime. He responded to the request by noting for the record that organized crime did not exist in his state. The truth of the matter, verified by a number of experienced police officials and the President's Task Force Report on Organized Crime, was that the state in question had a very serious organized crime problem. Perhaps you have talked to key officials who have expressed the same viewpoint relative to areas wherein there are indications of organized crime.

The negative attitude which I have described has been observed on many other occasions. It tends to indicate that perhaps it would be appropriate at the onset to ask this question: What is organized crime?

The answer of the police officer in the Western state referred to did not emanate from corruption or criminality. Strangely enough, it stemmed, in large measure, from the police officer's failure to obtain all of the facts concerning organized crime.

It seems to me that you here are concerned with formulating a definition of organized crime. As businessmen, you are undoubtedly worried about the penetration of legitimate business organizations by hoodlums through the use of criminal techniques and the investment of money gained through illegal businesses operated by organized criminal groups. You have been informed concerning this danger by your trade associations and your local Chambers of Commerce. But what is organized crime exactly? What is it that is penetrating businesses like your own? What is it that is forcing many honest businessmen to the wall?

There is a danger of oversimplifying a definition of organized crime. It is much more than one small group controlling a form of criminal conduct. As a point of departure, I would like to invite your attention to what I consider a very helpful definition of orga-

nized crime. It is contained in the Safe Streets Act of 1968. As you know, the Safe Streets Act is the legislative framework for the massive Federal aid program to States and local governments.

The definition is brief and to the point. "Organized crime" means the unlawful activities of the members of a highly organized, disciplined association engaged in supplying illegal goods and services, including but not limited to gambling, prostitution, loansharking, narcotics, labor racketeering, and other unlawful activities of the members of such organizations.

Note that the definition refers to certain criminal activities; primarily gambling, prostitution, loansharking, narcotics, and labor racketeering. In this regard, two key elements appear. (1) These forms of crime are usually intricately organized, and (2) they operate in secret with a large measure of protection.

The definition seems clear enough; however, a failure to fully appreciate this definition seems to persist.

The failure to fully understand organized crime and the nature of the threat posed stems from a number of reasons. Perhaps the main reason is that organized crime operates over long periods of time in an atmosphere of relative secrecy. For the most part, organized crime continues without complainants. Crimes are committed, but they are victimless in one sense. If there is a victim, he is usually a willing victim. Many police officials conclude that the absence of complainants means the absence of organized crime, when nothing could be further from the truth.

#### GAMBLING

An illustration of this is found in gambling situations. A sports bettor, for example, does not report his bookie. In fact, he does not complain at all as a general rule. The only exceptions to this rule are those situations where the bettor is threatened or is otherwise endangered. In some situations, he will report these threats to the police, but as a rule, the relationship of bettor and bookie continues without disclosure.

In the fall of 1968, a young family man in a midwestern city decided to make wagers on certain sporting events. He has accumulated several thousand dollars in savings over the years. He was doing well in business. However, he decided to establish a credit betting relationship with a La Cosa Nostra bookie introduced to him by an associate. His pattern of betting increased. He also began to lose. He lost all of his savings. Then he began to borrow large sums from loan companies to pay off his losses. Finally he reached the end of his financial resources. At this point, the bookie extended loanshark credit to the bettor. The interest rate for one loan amounted to 520% per annum. He managed to pay a few of these loans before being overwhelmed by the heavy interest payments. But then he failed financially and was unable to pay the bookie or his other creditors. It was at this point that threats and extortion were used to indicate that the organization would take extreme measures in an effort to collect from this bettor. Because of the fear and apprehension generated by the threats, and this bettor's inability to pay the bookie, the bettor turned to Federal authorities for assistance. A successful case based upon extortion and interstate wagering activity was developed against the bookie. The story which I have related is the exception rather than the rule. For the most part, bettors cooperate with their bookies in every way possible. They usually find the wherewithal to pay their gambling debts when their lives are threatened.

In many cases businessmen who have lost heavily to organization bookies have found that they have acquired undesirable silent partners telling them who they must buy their supplies and equipment from. Hotel and restaurant owners have found an or-

ganization representative telling them where to purchase meat and produce—where to obtain their linen supplies. In many cases such victims have found that they have new partners to share the profits of their businesses.

Of course, running along here we have the element of fear which also permits organized crime to operate in an atmosphere of secrecy. It is extremely difficult to locate witnesses who will testify against organization bookies. In many cases, it is the fear of violent death as the penalty for cooperating with law enforcement authorities. I have never been an advocate of capital punishment as a deterrent to crime; however, it is a well-established fact that the fear of death keeps many witnesses from testifying.

At this point you may ask whether sports bookmaking is a facet of organized crime even though the definition which I have referred to includes gambling as one element of organized crime.

In order for a bookmaking organization to operate, it must be intricately organized. A bookie who takes a bet in New York City on a race in Kentucky must have fast results to service his bettors. You should ask, "How does a bookie in New York City obtain the results of a race immediately after the race is completed in Kentucky?" He necessarily has to use interstate wire communication facilities in violation of Federal law. This takes personnel—personnel in different parts of the nation because the bookie is taking bets on tracks all over the country and on sporting events occurring in various parts of the country.

Another element relates to the receipt of odds information. Where does a bookie obtain the latest odds information? The answer is that dissemination of this data is carried on by a complex process involving large numbers of people. Bookies have access to the latest odds information. This data is supplied by an efficient organizational setup.

In order to continue in business, a bookie must have the capacity to lay off some of his bets to balance his book. When he receives a large number of bets on a particular team or horse race, he, in turn, bets with large-scale gamblers to offset the heavy emphasis on the particular team or race. In a sense, it is a form of reinsurance against gambling losses. These financial arrangements involve careful organization and credit relationships between individuals in many locations.

Illegal gambling debts are not collectible through legal process. The State of Nevada does not even permit the collection of legal gambling debts. Nevertheless, most gambling relationships are based on credit. To be successful, a wagering business must collect. Bookies play for keeps. This fact was brought out in the experience of the bettor I described who lost his life savings.

The collection of gambling winnings is a matter of prime concern to the bookie. He is engaged in his business for a profit. To make certain that these profits are realized, the gambling organization has established machinery to coerce payment. It is merely a case of utilizing or threatening to use an existing segment of their wagering business—the enforcer. In place of legal process and legal means, we find extortion. It is a classic pattern found often in gambling cases.

Other disputes in the world of gambling are very often solved in the same way—through the use of force and fear. There have been many murders based on gambling disputes. It would be a mistake to conclude that a gambling operation does not employ strongarm enforcers or call upon this type of criminal to maintain this form of organized crime.

Conservative estimates by experts place the gross take from illegal gambling at the \$20 billion mark with net profits amounting to about \$6 or \$7 billion. A raid on just twelve

gambling locations in a major city turned up records indicating an annual \$285 million gross. Taking into consideration that the twelve locations represented only 1/3 of this city's known gambling spots, officials estimate a yearly take of close to \$1 billion in that city alone. It is estimated that at least \$2 billion yearly is used to corrupt the criminal justice system to permit this form of organized crime activity.

#### LOANSHARKING

The loansharking racket, or the loaning of sums of money at illegal interest rates in situations where the health of the borrower is offered as security for the loan, is another manifestation of organized crime. This is a multi-billion dollar business, second only to the gambling racket. As I have stated, the borrower understands that his health is security for his loan. The understanding of the borrower is clear enough to remove the need for any legal evidence of the debt. The oral promise alone is all that is necessary. Here again we find that intricate organization is essential to operate the business. Large sums of money are involved. We must ask, "How are these large sums made available?" "Where do they come from?" The answer is that these large sums are the fruits of organized crime. They are distributed to those who do the lending. The rate of interest on these loans runs from five to twenty percent weekly. To operate the loanshark rackets, collectors are necessary. They are usually the most vicious of criminals who will stop at nothing to collect for their masters. Numerous extortion cases have told the story of their work.

Loansharking has been used extensively to penetrate legitimate business. It is not always linked to gambling losers. Often the acute financial need to meet a payroll, or to tide a business over a slump season entices a businessman to seek what appears to be the easy way out.

The shark does not want the principal back. He wants the high interest payment of five to twenty percent weekly. When payments stop, the borrower's business is endangered or lost to the lenders.

Frequently, a person in debt to a shark is told he can settle his obligations by stealing from his employer, by setting up a burglary or hijacking, by adding a racketeer to his payroll, or by shipping stolen goods. These are just some of the forms of penetration of legitimate business by loansharks. Here again the borrower is not usually one who complains, and as a result, the loanshark racket operates in relative secrecy.

#### NARCOTICS

In the area of narcotics, it is well-established that the importation and distribution of heroin requires an intricate organizational pattern. The business involves importation of the drug, wholesaling, and retailing. Large amounts of cash and international connections are necessary. Conservative estimates place the heroin trade at \$350 million annually with a profit of about \$21 million going to the importers and distributors.

Here again we have serious crimes, but we do not have complainants as we do in assault and mugging cases. A narcotics user does not report his pusher. Like gambling and loansharking, this form of crime is hidden and is rooted out only if the mask is removed and the real nature of the operation is exposed to the view of the public.

#### PROSTITUTION

The prostitution racket is another illustration of a criminal activity which produces few complainants. Those engaged in this racket operate with a cloak of secrecy and protection.

#### LABOR RACKETEERING

Union locals in a number of sectors of business and industry are under the effective control of the underworld. Some compa-

nies have succumbed to the lure of a sweetheart contract whereby workers obtain far less than they could have through legitimate bargaining. In return, the employer pays a fee to the racketeers. In some cases, employers cooperating with labor racketeers have permitted gambling activity, loansharking, or other crimes on company property. This is another form of penetration. We find very few complainants from those cooperating with labor racketeers or from those who succumb to the extortionate practices of corrupt unions.

#### ROLE OF LA COSA NOSTRA

A logical question to ask at this point is, "Where does La Cosa Nostra fit into this scheme?" Law enforcement officials have verified that it has a key role.

It is helpful to think of organized crime as a large circle. The core of the circle is comprised of La Cosa Nostra. This organization engages in the unlawful activities which I have described. It meets all of the criteria of the definition of organized crime. The group is intricately organized, well-disciplined, and is engaged in supplying the illegal goods and services we have described. The tentacles of La Cosa Nostra have been identified in many areas of the nation. The organization has built extensive insulation for its leaders to protect themselves from prosecution. Each La Cosa Nostra group, or family as they are called, has enforcers which are used to instill fear and discipline into organization members and in the victims of the organization.

If there are elements of La Cosa Nostra in a community, that community has a serious organized crime problem. However, the absence of La Cosa Nostra should not lull a community into a false sense of security nor should it be used as a basis for concluding that there is no organized crime in that community. If you erased the core segment of the circle of organized crime, you would still have all of the rest. You would still have murders, extortion, bribery, corruption, and all that necessarily go along with the various manifestations of organized crime which we have discussed. There is a grave danger of misunderstanding the complexity of organized crime and the forces that permit it to exist. It is not the property of any nationality or race. It is true that La Cosa Nostra is Italian. However, it is not the totality of organized crime. Organized crime may be compared to an iceberg. We tend to see a segment of it; that segment above the surface, but an immense danger to our society is posed by the identified manifestations of organized crime—the corrosive elements hidden below the surface.

I think that you will see that oftentimes it is possible for you to determine whether organized crime is a threat in your community or a threat to your business. You can answer basic questions about organized crime and its relationship to your own community. Do you have a heroin problem in your community? Hard narcotics is the domain of organized crime. Are bookies operating freely at sporting events and on the premises of business property? Then we can reasonably be sure that large-scale criminal operations are involved. The bookie is merely the outward manifestation of a complex criminal organization operating unseen. Do we have loansharking operators in our communities? If we do, a little probing may reveal a serious organized crime problem. How widespread is the prostitution racket in your city? To what extent have unions been exploited by hoodlums?

#### SOME EFFECTS OF ORGANIZED CRIME

Are you affected by organized crime? This question must be answered with a loud affirmative. Most professional gamblers will admit that a bettor is a sucker, that is the odds are overwhelmingly against the bettor. Professional gamblers are taking billions from

citizens willing to be suckers—from people who are eager to part with their money in gambling transactions. Consider the value of these dollars in terms of use in the fields of education, retraining of employees, housing, research, and social services generally.

Organized crime and corruption of public officials go hand in hand. Consider the insidious effect of such corruption on our criminal justice system and upon the attitudes of our young as they form their views of our system of justice. At a time when we are endeavoring to support and elevate law enforcement generally, corruption generated by organized crime is tearing away at it. It is like a bird whose right wing flutters to soar while its left beats its way downward.

Consider the fact that these criminals do not pay income taxes on their illegal profits. This means that each of us must pay that much more to pay their way in our society.

Consider the increased cost of services generated in industries wherein hoodlums have obtained a measure of monopoly control, such as in the garbage and trash hauling business, the vending machine business, and the nightclub business.

We do not realize it, but we are paying more when a corrupt union official drives prices up as a result of sabotage and extortion.

Consider the human loss as well as the loss of dollars generated by organized crime. When large numbers of individuals are engaged in organized crime activities, they are inflicting damage upon society while at the same time depriving society of the benefit of more constructive endeavors.

We must conclude that organized crime affects each of us directly and indirectly.

#### ROLE OF SAFE STREETS ACT

But how are we to penetrate the many disguises of organized crime? What can we do? For the very first time in our history, answers to these questions are coming.

I have mentioned the Safe Streets Act in connection with our definition of organized crime. This legislation was passed on June 19, 1968. Title I of the Act created the Law Enforcement Assistance Administration and set into motion the most meaningful program in the nation's history to assist states and local governments in their efforts to deal with the grave problems of crime.

A section of the Safe Streets Act provides that the Law Enforcement Assistance Administration and each of the State Planning Agencies created to receive Federal aid funds under the Act shall give special emphasis, where appropriate or feasible, to programs and projects dealing with the prevention, detection, and control of organized crime.

In brief, comprehensive state law enforcement plans required under the Act must address the problem of organized crime.

It is clear from the words of the Act that Congress saw law enforcement as primarily a state and local responsibility and that is how the Law Enforcement Assistance Administration program is being administered.

As a result of the seed money appropriated by Congress, states are beginning to look closely at the manifestations of organized crime within their borders. Oversimplifications of the problem are being rejected in favor of careful analysis and with firm efforts to root out the evil. States are recruiting and training specialized personnel, statewide and interstate intelligence systems are being formed, specialized law enforcement units or task forces similar to those now effectively employed by federal authorities are being formed on the state level, and many states have created organized crime prevention councils comprised of individuals knowledgeable in the prevention and control of organized crime.

In combating this menace, it has become necessary to initiate unique countermeasures. Law enforcement capabilities on all levels are being put to the test in this area.

Since we do not have complainants in this type of crime, it has become necessary to investigate and probe deeply to build cases. Organized crime prosecutions can be developed only after careful and painstaking investigative and prosecutive efforts. Where success has been realized, it has been brought about by honest law enforcement and citizen awareness, from pulling away the mask of organized crime with both hands. In the context of this meeting today, consider the numerous possibilities for action. What would happen if every business and professional organization made a determined effort to recognize and combat the various phases of organized crime? That is, consider what would happen if each business or trade association assumed the responsibility for:

(1) establishing a firm working relationship with law enforcement agencies and acted as an intermediary between member companies and law enforcement groups;

(2) what results would follow if each trade association made a concrete effort to act as a clearinghouse for organized crime intelligence information?

(3) if each business and trade association served as a prime mover in initiating complaints against those involved in organized crime;

(4) consider the effect if business groups took active and helpful stands on proposed legislation designed to fight organized crime or if these important groups made a determined effort to educate the business community concerning the real nature of organized crime and its threat to the community and the nation;

(5) what type of impact would be made if each business and trade association adequately policed their own membership and imposed moral sanctions on hoodlum-controlled elements in an industry?

(6) what would happen if businessmen probed deeper to ascertain the actual sources of capital being used to buy franchises or business interests?

Some of these steps are being taken by business, but much has to be done. In some instances, business interests are unwittingly tolerating the penetrations of organized crime. This attitude betrays business and our society into the hands of organized crime as effectively as a subtle conspirator would.

The big need is to cultivate an awareness of the real nature of the various manifestations of organized crime. Instead of plucking twigs from the limbs of this evil, we must root it out by realizing that it is much more than just a handful of Hollywood type hoodlums that must be locked up. We must recognize the many signs of organized crime in our midst, brand them as such, and insist that they be eradicated. Limited and narrow views of this threat must be enlarged to embrace a more accurate definition of organized crime. When this initial step is accomplished, we will be in a position to address the problem effectively.

#### ORGANIZED CRIME—YOUR SILENT PARTNER

##### SLIDE 1

In order to understand organized crime, it is necessary to become familiar with its many areas of activity. There are a number of criminal groups engaged in such activity.

La Cosa Nostra or the Mafia is one criminal group engaged in what is known as organized crime. It consists of 3,000-5,000 family members in an estimated 24 families. Original family members were of Sicilian descent.

The La Cosa Nostra family organization is headed by a Boss whose position is analogous to a corporation president. His authority in the family is virtually absolute. However, he may be overruled by a Commission which is comprised of the Bosses from the more powerful families.

The Commission is the ultimate authority to members of La Cosa Nostra. It serves as a combination legislature, supreme court, and board of directors. Each Boss has a *Consigliere* or counselor. The position of the *Consigliere* is held by a trusted advisor. On the same level as the *Consigliere* is the *Underboss* who acts as a buffer or insulator between the Boss and the rest of the family. The position of *Underboss* may be compared to that of an executive vice president.

Next in line are the *Caporegimes* or Lieutenants. These positions might be compared to those held by sales managers or plant supervisors. They also serve as buffers between top and lower level personnel. Each lieutenant has one or two trusted associates called "*button men*" who deal with the "*soldiers*" on the lowest level. *Soldiers* in turn may employ other street-level personnel who are not family members.

There are other organized crime groups who operate in a similar fashion.

##### SLIDE 2

Organized crime "business" enterprises are often directed by individuals who are well educated and highly qualified through training and experience. They are accustomed to huge profits. It is estimated that hundreds of thousands of individuals directly and indirectly are employed by the La Cosa Nostra and other organized crime groups. The main areas of organized crime activities include gambling, loansharking, labor-business racketeering, narcotics, hi-jacking, arson, fencing stolen property, bankruptcy fraud.

Each element of organized crime requires a high degree of organization. Like legitimate business entities, organized criminal groups are designed to continue over long periods of time without interruption. Individuals are removed but the illegal business entity usually continues.

We must recognize that organized crime operates in an atmosphere of relative secrecy because this form of crime does not usually produce complaints. As a general rule, a bettor does not report his bookie. Those borrowing from loansharks do not ordinarily volunteer testimony relating to their dealings with loansharks, the users of hard narcotics do not willingly cooperate with law enforcement authorities, and those cooperating with labor racketeers usually conceal the facts relating to such cooperation. These patterns of non-cooperation, coupled with the fear of testifying, are usually found in each segment of organized crime.

The men who head these various segments of organized crime are insulated from prosecution. Layers of subordinates protect the Boss. This is one of the reasons why it is difficult for law enforcement officials to eliminate organized crime. The leaders of the major organized crime activities might be considered jobbers or wholesalers in terms of legitimate business. They in turn market their services through others who might be compared to retailers.

##### SLIDE 3

The "retailers" may be your "friendly" bookie, dope peddlers, number writers, collectors, fences, dishonest officials, oddsmakers, corruptors, dishonest businessmen, dishonest lawyers and accountants, labor and business racketeers, arsonists, fences, pimps, embezzlers, shake-down artists, prostitutes, and others marketing illegal goods and services which people buy.

##### SLIDE 4

Organized crime affects everyone. Most professional gamblers will admit that a bettor is a sucker, that is, the odds are overwhelmingly against the bettor. Professional gamblers are taking billions from citizens willing to be suckers—from people who are eager to part with their money in gambling transactions. These billions could be used constructively on behalf of society instead of

supporting those engaged in criminal activities.

Organized crime and corruption of public officials go hand in hand. This corruption has an insidious effect on our criminal justice system and upon the attitudes of our young as they form their views of or system of justice.

Organized crime figures do not pay income taxes on their illegal profits. This means that each of us must pay that much more to permit their participation in our society.

It affects the housewife who must pay a few cents extra each day to have her trash hauled by a company controlled by criminals.

It affects the teenager who pays a few cents more for a hamburger and a glass of milk because the vendor must buy his supplies from companies controlled by criminals.

It affects the college student and lawyer who pay a few cents more for their books, because the books have at some stage been hauled by a truck operator who must, in order to maintain labor peace, buy his tires from a company controlled by criminals.

It affects all the others who are required to spend a quarter here and a dollar there because a businessman, somewhere in the chain from raw materials to finished product, must pay a tribute to criminals.

#### DESKBOOK AVAILABLE

A Deskbook on Organized Crime has been compiled and published by the National Chamber. The Deskbook leads off with a description of the severity of the challenge that the organized underworld presents to the business community. This is followed by tab sections delineating the major organized crime threats or points of penetration that should be anticipated by business, the symptoms that often will tip off an alert management to on-coming trouble, and the phone numbers of agencies that could be expected to help firms beat back underworld incursion. The last section of the 75-page booklet offers a program for action—a plan that maps out sound defensive or preventive measures every company can implement to minimize exposure to the previously mentioned threats.

The Deskbook is available at \$2 per copy or bulk rates through your Local Chamber of Commerce or the Chamber of Commerce of the United States, 1615 H Street, N.W., Washington, D.C. 20006.

#### PROTECTION FOR THE INVESTOR

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

Mr. MOSS. Mr. Speaker, I am today introducing a bill that is designed to protect the customers of registered securities brokers against possible loss arising from the insolvency of brokerage houses. Six of my colleagues on the Subcommittee on Commerce and Finance have joined me in introducing this legislation.

The bill that my colleagues and I are introducing today is the result of considerable work on the part of both the Securities and Exchange Commission and the securities industry task force on investor protection and I want to compliment the SEC and the industry on their efforts. This is a complex piece of legislation and it is, in my opinion, probably the most important securities measure to come before the Congress in 30 years.

In testimony before the Subcommittee on Commerce and Finance last week, the Chairman of the Securities and Exchange Commission and the chairman

of the industry task force both supported the bill and we are introducing it substantially as they recommended. The only three changes of substance are as follows:

First, our bill would not permit loans to be made to brokers from the insurance fund when Treasury borrowings are outstanding.

Second, the authority to institute a transaction fee would be vested solely in the Securities and Exchange Commission.

Third, the availability of information and reports to the Congress and the public has been clarified.

I want to make it clear that my introduction of the bill does not in any way imply my personal commitment to any of its provisions. I am introducing it just as, several weeks ago, I introduced the separate industry and SEC proposals, because it embodies the best thinking of both the SEC and the securities industry on this subject at this time. While I do believe that insurance protection for individual investors is a matter of some urgency that should be dealt with in this Congress, I specifically reserve my right to offer amendments to the present bill as we proceed with our consideration of this legislation.

#### LEGISLATIVE REORGANIZATION ACT OF 1970

(Mrs. DWYER asked and was given permission to extend her remarks at this point in the RECORD.)

Mrs. DWYER. Mr. Speaker, the Congress of the United States, in common with its sister legislative assemblies throughout the world, is faced with the continuing need to preserve and enhance the understanding and respect of the people it represents both for the quality of its work and the adequacy of its procedures.

To the extent that the particular legislative body exists in a free society and is freely chosen by the people, the need is even more compelling. For the health and well-being of free societies is determined in large measure by the degree to which its people readily accept as just and equitable and binding the decisions of their lawmaking institutions.

It is within this frame of reference, I believe, that we should approach the pending legislation, H.R. 17654, the Legislative Reorganization Act of 1970. For it should be a matter of considerable concern to us, as citizens of the greatest free nation on earth and Members of what is often termed "the greatest lawmaking body in the world," that Congress is not always held in the highest regard by the people we represent.

No law, of course, can perfect the characters or enhance the wisdom of Senators and Congressmen. But laws can and must be designed to assure that, whatever our personal limitations, our resources of staff and information are adequate, our rules fair, our activities open to public scrutiny, and our procedures efficient and responsible.

As far as it goes, I believe H.R. 17654 moves in the direction of these objectives. It would:

First, provide Congress with new sources of information and research in the never-ending struggle to keep abreast of the increasingly complex world we live in, notably through the development of an automatic data processing system and expansion of the Legislative Reference Service into a Congressional Research Service;

Second, assure more democratic and equitable committee practices through appropriate changes in the rules of the House;

Third, encourage greater public awareness and understanding of congressional activities by providing for more open meetings of committees and for broadcasting, televising and photographing of committee hearings; and

Fourth, improve certain procedures in effect during House consideration of legislation, specifically with regard to reader availability of the language of proposed amendments and to consideration of nongermane amendments added by the Senate, so as to improve the capacity of the House to make reasoned judgments about legislative proposals.

Nevertheless, Mr. Speaker, I do not believe the pending bill goes far enough in the direction of the objectives we seek. Together with many of our colleagues, therefore, I look forward to the opportunity to consider and vote on the many amendments which are expected to be offered as debate on the bill progresses. I feel certain we can improve the legislation substantially, especially since the subject matter of most of the amendments are matters of daily concern to us and have been under formal consideration since the Joint Committee on the Organization of the Congress was established in 1965.

Four of the proposed amendments are of special interest to me, two of them dealing with House floor procedures, and I support them wholeheartedly. I shall judge the others on their merits as they are offered.

Of first importance is the proposal to record the names of Members as they pass through teller lines during Committee of the Whole House proceedings when a record vote is demanded by one-fifth of a quorum.

We are all, to be sure, all too familiar with the disturbing number of occasions when major public policy issues are decided in the House, for all practical purposes, by a handful of Members acting under a cloak of anonymity. I have never in my own mind been able to justify this practice. While nonrecord teller votes have ostensibly served the useful objective of speeding up House action, they have also discouraged greater participation in floor debate, denied to the people their right to know how their Representatives voted, and permitted the easy abdication of our responsibilities as Members of Congress.

The proposed amendment, while a compromise, appears to be a very workable and effective one. It will encourage greater attendance at times when decisions are made. It will make those decisions more broadly representative of the House. It will provide information our people have a right to expect. And it

will encourage the acceptance of a responsibility we have no right to evade.

A second important amendment would require that conference committee reports be printed in the CONGRESSIONAL RECORD at least 3 days before floor consideration and that those reports be available on the House floor.

Here, too, the issue is one of the accepting responsibility. Few, if any, of our colleagues, Mr. Speaker, are so well equipped that they can make informed judgments about complicated legislation without having adequate time to digest what is being proposed. Conference reports represent the last occasion on which the House can work its will on legislation. It is a time of crucial importance in the legislative process. And it is an opportunity we sacrifice when conference reports are brought to the floor under circumstances—especially during the final days of a session—which often make it difficult or impossible to know what we are doing.

The rightness and importance of a third amendment is, in my judgment, equally obvious and necessary. The disclosure of record votes in committee can be justified on the same basis as record votes in the House: the right of the people to know and the obligation of elected Representatives to hold themselves accountable for their actions. Committee decisions, while the first formal step in the legislative process, are often the most decisive, and I can imagine no justification for making those decisions secret.

Finally, Mr. Speaker, I shall support the amendment to guarantee adequate staff resources for minority members of committees. While custom and practice may differ as between committees, the needs of Members for information and reliable guidance do not. Moreover, the Congress of the United States is preeminently a political institution in the full sense of that often abused word. Almost every major decision we make is political in the sense that it results from the conflict of differing views and interests. Those views and interests must be fully expressed and considered if our decisions are to be fully rational. It makes sense, therefore, to equip ourselves with staff arrangements and resources adequate to the development of differing positions. And despite the best intentions and most generous cooperation of committee and subcommittee chairmen, it is a fact of congressional life that staff members responsible to the majority can seldom serve with equal effectiveness the special and differing needs of minority members.

It has been 24 years, Mr. Speaker, since the House considered so comprehensive a list of proposals dealing with its own inner life as those before us today. The Legislative Reorganization Act of 1970 completes, in some respects, the work of the act of 1946 which brought congressional operations into the post-war world and in that sense it is long overdue. But in other respects this bill can launch us successfully into a space age of problems so complex we can only now begin to grasp their outlines.

I hope our experience with this bill

will convince us that we cannot afford to wait another 24 years before paying serious attention to the way we govern ourselves and our people.

#### CURTAIN OF SILENCE

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

Mr. SCHERLE. Mr. Speaker, a curtain of silence and secrecy has been drawn across the public stage by OEO Director Donald Rumsfeld concerning the background of Richard Blumenthal, a 24-year-old White House aide whom Rumsfeld intended to appoint Director of the Volunteers in Service to America—VISTA.

Repeated calls were made to the offices of top White House aides, John Ehrlichman, Daniel Moynihan, Blumenthal's former employer and to the White House Congressional Liaison Office—to no avail. They all maintained their inability to provide even minimal information about Blumenthal with the same refrain:

You will have to talk to Don Rumsfeld if you want any information on him.

The Office of Economic Opportunity, however, was unwilling to make any facts available concerning Blumenthal.

This is a blatant breach of President Nixon's avowed support of the public's right to know. This clandestine caper is just the latest chapter in a history of similar incidents. Numerous candidates for top positions in the administration have secretly harbored a desire to sabotage the goals of the Nixon administration.

I strongly believe in the right of all Americans to dissent honestly from Government policy, but it should be repugnant to anyone's ideals, liberal or conservative, to accept a responsible position in the administration with a fat paycheck, and then to play the role of a spoiler.

Intensive investigation into Blumenthal's background revealed that he was formerly a reporter for the Washington Post, then taught English in a Washington, D.C., high school where he produced for his adolescent students a highly controversial play which many found repulsive.

While at the White House, Blumenthal told a Life magazine reporter that, if he were not there, at least part of his "considerable intelligence probably would be employed protesting the political system which now keeps so many so distant." He also bragged that among his chief responsibilities at the White House was making sure that a Bible was prepared for the swearing in of District of Columbia Commissioner Walter Washington.

The saboteur's true feelings about the Nixon administration surfaced publicly only after word got out that over 120 Members of Congress had sharply criticized his appointment. Now that Blumenthal has been flushed and his true position revealed, he is sourly repudiating the hand that fed him. He says:

He would be unable to defend such actions as the U.S. incursion into Cambodia and would find it uncomfortable taking the Ad-

ministration's side on several policy questions.

Now that Blumenthal has "rejected" the offer to be VISTA chief, those White House aides including Rumsfeld should abandon any thoughts of reappointing him to the White House staff or any other job in the Nixon administration.

There are plenty of qualified, capable people who can and will be loyal to the President. The soft-headed liberals in the administration should not compromise with arrogant antagonists whose known record is opposed to the administration. The morale of dedicated people, both Republicans and Democrats, who voted for the Nixon philosophy should not suffer for those who seek to impose their own brand of Government.

Numerous situations of this type shows once again the need for the appointment of concerned people who have the will to support the administration.

#### WORDS DO NOT EFFECTIVELY FIGHT CRIME

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

Mr. PEPPER. Mr. Speaker, as chairman of this body's Select Committee on Crime, I have long been concerned with the role the Federal Government can and must play in helping local jurisdictions fight crime. In the hearings we have held across the country, we have heard over and over again the same plea from local officials: Give us the help we need to fight our problems.

When the Congress passed the Omnibus Crime Control and Safe Streets Act of 1968, we made a major commitment to help these financially pressed officials fight crime. Yet the funds provided the Law Enforcement Assistance Administration were never enough to supply the many worthy programs of local officials. When we began deliberations on fiscal year 1971 authorizations for LEAA, I urged a \$1 billion authorization to clearly demonstrate that our concern for the problem of crime is more than mere rhetoric.

Although the House has already acted on the LEAA authorization, I would like to include in the RECORD at this point an article by me which appeared in the American County, the publication of the National Association of Counties, which details my reasons for the \$1 billion appropriation request.

The article follows:

#### RHETORIC VERSUS CASH FOR CRIME CONTROL (By Representative CLAUDE PEPPER)

In the fight against crime in America, there is more rhetoric than cash flowing to the cities and counties of the country.

If the problem were not so urgent, if an effective solution were not so necessary, it would be trite to say that what most local governments need to fight crime is more financial assistance.

Mrs. Gladys Spellman, a county commissioner in Prince George's County, Md., emphasized the problem in even more understandable terms during a hearing the House Select Committee on Crime held some months ago.

"We have quite a few ideas," she said, "But

unfortunately, you can't fight crime with ideas. There is that other factor that enters into it, M-O-N-E-Y, you know."

We do know.

It is this conviction which leads me to urge the Congress of the United States to more than double the Administration's request of \$480 million for the fiscal year 1971 budget of the Law Enforcement Assistance Administration (LEAA). The \$1 billion is the minimum amount we should spend on what we all acknowledge to be one of the nation's most important priorities.

This is not to say that I equate the simple allotment of more money to LEAA as some sort of wonder cure. We must also consider the changes in the disbursement of LEAA funds, changes which can be accomplished within the basic framework of the agency, as defined by Congress.

These changes were implied by Attorney General John N. Mitchell when he addressed our committee last year. Quoting from a few brief paragraphs of that testimony:

"Rep. PEPPER, Mr. Attorney General, some of the witnesses who have appeared here from municipalities, mayors of some of our large cities, have indicated their belief that the cities under the LEAA program are not getting quite as large a share of the LEAA money as they should.

"Attorney General MITCHELL. All this, of course, is a directive of Congress as to how we siphon the money from the federal government through the states. It involves primarily the block-grant concept, based on plans submitted by the state planning agencies.

"There are other funds in LEAA which provide the Administration with more discretion, and, as you probably know, we have, to the extent that those monies are available, made them available to the larger metropolitan cities, where the need was greater."

The Attorney General was alluding to the discretionary funds held by the LEAA for direct grant applications—a route that bypasses regional and state planning boards and awards grants directly to the applying governmental body.

Unfortunately, the money in this fund is and continues to be too little to meet current needs and demands. Last year's fund totaled a mere \$40 million in a budget of some \$268 million for LEAA.

This is why I recommend that of the proposed \$1 billion appropriation for LEAA, \$650 million be disbursed through existing procedures—alone a significant increase over the agency budget request of \$480 million—and that an additional \$350 million be added to LEAA's discretionary funds, to be spent for direct grants to county and city governments which take the initiative to develop programs on their own.

This would allow us to spend more money for crime control and prevention measures of regional and state impact through the existing planning boards, and also permit funds to be channeled for innovative projects affecting police, courts, corrections, and other areas on a more specialized basis.

#### LOOKING TO NEW URBAN NEEDS

It is important to consider here that the characteristics of many counties across the country have changed dramatically through urbanization.

As Mayor Carl Stokes of Cleveland, Ohio pointed out in testimony before our committee:

"We have taken the correctional institutions, the courts, the juvenile courts, the trial courts, and the appellate courts, our federal prosecutors, the probation departments, the parole departments . . . representatives of the private sector . . . and have put all these people together to do what was indicated earlier—to develop an action program.

"We have had some very small successes. We don't know just how effective it is going to be over the long run, but we intend to stay with it as long as we can."

What the officials in Cleveland and in all of surrounding Cuyahoga County have banded together to do is to make application for crime funds for a wide range of programs and services which, in concert, will have a significant impact on the crime problem in that county.

Mayor Stokes and the other leaders in Cuyahoga County took these steps after a mere \$40,000 in LEAA funds was awarded to Cleveland from a total allocation to the state of Ohio of more than \$1.5 million!

We also found signs of countywide cooperation and pooling of effort in cities the committee visited—Boston and Miami, particularly.

#### TESTIMONY FROM ACROSS THE NATION

Another argument in favor of an expanded discretionary fund within LEAA came when the committee traveled to Boston and heard from Mayor Kevin White. Massachusetts is recognized to have one of the ablest state administrators of LEAA funds in Sheldon Krantz; but as Mayor White pointed out:

"In Massachusetts alone, the Governor's Committee on Law Enforcement has approximately 50 employees and consultants; the whole program in Washington has just under 100. So I hope two things will come from this committee—broader knowledge and a more immediate, direct response to the problem of public safety in the American city."

These same thoughts were expressed by Professor James Vorenberg of Harvard Law School who served as Director of the President's Commission on Law Enforcement and Administration of Justice, the Commission which originally suggested the creation of the agency which became LEAA.

"I think it is nothing less than a disaster in the crime control area that Congress funneled the great bulk of these funds through the states rather than making grants directly to the cities. I think that is turning out to be so in a number of large cities, that all the problems I talked about of a bureaucracy at the local level are being repeated twice: first the state is hiring people and scraping off some of the funds at that level for administration, and then the funds are filtering through the state level down to the city level."

Bills have been introduced to Congress to cut drastically the percentage of LEAA funds available to states in block-grants. But any concerted effort to change the LEAA funding system is likely to cause the kind of political debate, and ensuing bitterness and delay, that the immediate concern of improving the criminal justice system can ill-afford.

This is what my recommendation seeks to avoid. In this time of great public concern over crime, it would be a mistake, I believe, to channel all LEAA funds into today's high-crime areas. It would be both unwise and dangerous to neglect fighting crime in areas where the problem has not yet become epidemic.

To accomplish this, the term "law enforcement" should be broadened to include the courts, corrections, probation, rehabilitation, and related social services.

I further recommend removing the prohibition against funding programs which ask for more than one-third of the LEAA grant for personnel costs.

There is no disagreement, that, ideally, a police or sheriff's department should attract the highest caliber personnel, preferably persons with college training and backgrounds in criminology. Yet there is a city

in my home state of Florida which is planning to upgrade materially its police force by providing for lateral entry from other departments and by seeking college-trained personnel. The department would, of course, offer these men significantly higher salaries than those normally paid police officers.

Yet it is just this type of program, which should be encouraged, that may not receive LEAA funds because such a progressive change may require more than one-third of the grant to be spent for personnel.

It is time that we encourage, rather than impede, such far-sighted goals.

I don't need to tell you that the most overlooked governmental unit in the attempt to secure federal funds is the *county*. Many believe—and act on this belief—that the courts, corrections, and probation services are generally state functions. In innumerable instances, this is simply not the case.

In my own district, for example, the Metro-Dade County, Fla. government administers an 11-story jail which is presently well over capacity, a county home for delinquents, a dilapidated youth home for detaining juveniles, a barracks-like stockade and a metropolitan court with an ever-increasing backlog problem.

Municipalities in the Miami metropolitan area experience financial difficulties maintaining, let alone upgrading, their police forces and courts.

There are many fledgling programs on a county scale in need of financing. A group of senior citizen volunteers, for example, saved Metro-Dade County an estimated \$500,000 through a "release on recognizance program" which removes prisoners from the crowded jail and checks on their progress prior to trial. Yet the volunteers receive no funds, not even for transportation. There is the very real possibility that without funds, which the county is unable to provide, this volunteer-action effort may have to be disbanded.

We heard, to, in Miami from State Attorney Richard Gerstein, past president of the National District Attorney's Association, who said the Association's executive board considered "... LEAA a total failure insofar as prosecutors are concerned."

Statements such as Mr. Gerstein's clearly place in focus the piece-meal approach that is being taken toward a task which must involve a massive infusion of funds.

The county prosecutor's office, state and county correctional programs, the public defender's office, the improvement of court administration—these are areas where LEAA has yet to make any real impact.

A \$1 billion commitment on the part of the federal government to be spent on programs affecting all elements of the criminal justice system is more than necessary, *it is imperative.*

Such is the scope of the challenge before us.

#### IMPORT CONTROLS A NECESSITY

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

Mr. SAYLOR. Mr. Speaker, I represent one of the Nation's manufacturing centers; it is not the largest of such districts in the country nor is it the smallest. My western Pennsylvania congressional district has a mix of heavy and light, big and small, old and new, labor-intensive and highly-automated industries. We are, in short, what might be called a typical American manufacturing community.

Across-the-board and to a man, the people of the 22d Congressional District of Pennsylvania are justifiably concerned with their position in the economic scheme of things due to the growing influx of manufactured goods into the United States. That influx is not restricted to textiles and leather goods—it crosses the gamut of American industrial production.

Reflecting this concern and the broader, national concern of protecting the American workingman's livelihood, I have introduced 15 bills in this Congress which have been forwarded to the Ways and Means Committee. Those bills are:

H.R. 3—To provide for orderly trade in iron and steel mill products;

H.R. 2124—To amend the Antidumping Act of 1921;

H.R. 2508—To impose quota limitations on imports of foreign residual oil;

H.R. 2509—To encourage the growth of international trade on a fair and equitable basis;

H.R. 2510—To amend the definition of "metal-bearing ores" in the Tariff Schedules of the United States;

H.R. 2511—To provide for orderly marketing of flat glass imported into the United States by affording foreign supplying nations a fair share of the growth or change in the U.S. flat-glass market;

H.R. 2512—To regulate imports of milk and dairy products;

H.R. 2513—To amend the Tariff Schedules with respect to the rate of duty on whole skins of mink, whether or not dressed;

H.R. 2514—To provide for orderly trade in textile articles;

H.R. 2521—To amend the Tariff Schedules with respect to the rate of duty on paper industries machinery;

H.R. 3330—To provide for orderly trade in iron ore, iron and steel mill products;

H.R. 7174—To provide for orderly trade in footwear;

H.R. 13766—To provide for the orderly expansion of trade in manufactured products;

H.R. 14102—To encourage the growth of international trade on a fair and equitable basis; and

H.R. 17498—To provide for orderly trade in textile articles and articles of leather footwear.

The thrust of the bills, Mr. Speaker, is to do mainly one thing: Insure that the American workingman and American industry is not driven to the wall because of the theoretical and textbook understanding of the real world of commerce, manufacturing and employment by a group of free traders masquerading as diplomats in the U.S. Department of State.

The bills I have introduced, and particularly, H.R. 17498 which is a companion bill to H.R. 16920, introduced by the distinguished chairman of the Ways and Means Committee, Mr. MILLS, take a giant step forward in recapturing Congress' role in the area of international trade.

For more than a quarter of a century

Congress has surrendered more and more authority to the executive branch of the Government. Regarding trade matters, this capitulation to the Executive has been nearly total and close to irreversible. The State Department, heir and/or pretender to Congress' power to legislate in matters concerning international commerce, has used the power not to influence the economic and social improvement of our country, but rather for ephemeral diplomatic purposes. In effect, the diplomats have traded American jobs, fiscal stability, and national defense for what is alleged or assumed to have been an advantage in the field of international politics, rather than the well-being of the citizens of their own country.

That the State Department has obviously failed in these objectives is a painful matter of record. Even had the so-called strategy succeeded, there would have been no justification in exchanging economic sacrifice for an elusive international friendship. One brief example should make the point:

Today, while Soviet weapons hammer at our men in South Vietnam, while Soviet weapons are used in an attempt to destroy one Middle Eastern country and subjugate the others, while Soviet weapons are blockading all movements toward political liberalization in Eastern Europe, the State Department stubbornly refuses to recommend a program designed to curtail our growing commercial associations with the U.S.S.R. It even fosters imports of commodities produced behind the Iron Curtain. It fails to recognize that Communist Russia is our enemy and that we must make every possible move in the direction of reinforcing our defense posture in preparation for the always threatening showdown with the Soviet Union. Mr. Chairman, we do not improve our military and industrial strength by trade policies that tend to destroy or impede production here at home.

Turning now to the matter at hand—textiles and leather goods—we are faced with a different kind of enemy and a different kind of warfare than we face vis-a-vis the Soviet Union.

In the spirit of competition which built this country, our domestic industries attempt to compete on an equal footing with free-world industries for markets. The big problem, gentlemen, is that the officials who have butchered the job of containing the expansionist policies of the Soviet Union, who illogically encourage the Soviets to undercut our various international policies, are the same ones who have botched the job of expanding American markets overseas and/or protecting American industries from unfair foreign competition.

It appears that the State Department is systematically and with malice aforethought, attempting to weaken rather than strengthen the domestic industries of the United States. The Department has allowed the United States to become the dumping ground for foreign products. Nowhere is this better illustrated than in our trade position with the Japanese.

Of all the world's nations, Japan is the most active and aggressive exporter and the most carefully protective importer. At the same time she floods American markets with her goods, she has the most restrictive trade regulations to protect her own markets. Japan's restrictions on U.S. goods are tighter than on the goods from any other nation or group of nations in the world. In 1969, we received \$540 million worth of textiles from Japan, while we sold only \$15 million to her. By comparison, Japan bought far more from the less developed countries, the European Economic Community and the European Free Trade Association than from the United States.

The major reason why import competition from Japan is so damaging to the American economic system is the drastic wage gap between U.S. and Japanese wages. The typical American textile worker earns \$2.43 an hour; his counterpart in Japan gets 53 cents per hour and in Korea and Taiwan the figure is 11 cents per hour. Mr. Speaker, after all is said and done, what we are facing is competition from the sweatshops of the Far East. I will not advocate that the American textile worker lower his standard of living to keep his job—but that is exactly what the free traders are advocating.

The committee is under extremely heavy pressure by the free traders and most of the press to reject H.R. 16920 because it is termed "protectionist." The bill is not protectionist. The bill would not provoke retaliation from other nations—in fact, it gives both American and foreign producers an opportunity to see more goods as the American textile market grows. The bill would not cause a rise in textile prices for the consumer. It does not eliminate import competition—it does regulate such competition to keep pace with the market in this country.

The most important part of the bill, in my opinion, is the provision for a "floating quota" on textile imports. During 1970, the bill would limit the imports of all textile articles and leather footwear to the average annual quantity that entered the United States in 1967-68. After 1970, the import level would be adjusted upward or downward depending on the size of the American market. This is the unique and sensible way to handle the problem of rising and industry-damaging imports.

In fact, I have strongly urged the committee to look into other areas of import-damaged industries in the United States with a view toward easing their burden with legislation similar to H.R. 16920.

Without making a case for every industry currently under unfair import attack, I would like to mention the problem of steel imports. Irrespective of the press reports and columnists, I believe the committee has every right to believe that the administration is getting behind its efforts to protect the jobs of the American steel workers.

Two years ago, the Republican candidate for, and now President, spoke in my hometown on the subject of foreign trade, imports and the effect of im-

ports—particularly steel imports—on domestic employment. Since that time the words of President Nixon tended to contradict the words of Candidate Nixon, however, I am pleased to note that recent statements of the President and his advisers are beginning to take on a more defensible point of view with respect to the protection of American jobs in the steel industry and other industries.

Speaking in Johnstown, Pa., on October 17, 1968, Mr. Nixon noted that every million tons of new steel imported into this country represented a loss of almost 8,000 job opportunities. Mr. Nixon said, and I heartily agreed then as now, that—

America's status as the greatest producer of wealth and eradicator of poverty the world has ever known could not have occurred without steel—especially Pennsylvania steel.

Mr. Nixon also told the audience that he recognized the desirability of foreign producers participating in America's expanding economy but that it would be unrealistic not to recognize that our international trade and financial positions had been thrown out of balance. He also noted:

It would be unjust to allow the consequences of these actions to irretrievably injure American industry and labor.

During the past year and a half the administration has carried out the domestic industry damaging policies laid down by Congress in the multitude of free trade acts. However, the reality of the domestic employment situation is finally beginning to make its weight felt on the administration and there are good indications that the position stated by Candidate Nixon in 1968 regarding imports will determine the direction of future policies.

Unfortunately, we cannot throw over the free trade traces all at once but I urged the committee to closely examine my bills designed specifically to protect American jobs. Those bills, if enacted, would make a giant leap in the direction of Congress reasserting its constitutional right to regulate the flow of international commerce.

Mr. Speaker, I do not care in which form protection for our American industries and the employees represented therein may come. I do not believe it is necessary for the United States to resort to deception or circumvention in the formation of policies to prevent foreign products from overwhelming our markets. I look to the Ways and Means Committee and Congress for conclusive legislation that will give Congress an opportunity to create barriers against economic destruction of many American industries.

I would prefer that Congress devise a blueprint for a single piece of legislation that will safeguard every industry on the list of victims of excessive imports. While I would support legislation accomplishing the same purpose on an industry-by-industry basis, I would prefer a bill that contains general coverage so that we can avoid controversies that might arise be-

cause of segmented and parochial interests. But most important, however, the Congress approaches the problem of excessive imports, I plead for a reassertion of our congressional responsibility in these matters.

There is no question in my mind about the need for the bill on textiles and leather footwear pending before the committee. There is no question about the need for a comprehensive bill restricting the flow of steel imports into this country. There is no question about the need for legislation to protect numerous industries like glass, milk, and dairy products now faced with foreign competition that is demonstrably unfair. The only question is whether or not the Congress will act in time to preserve the jobs and livelihoods of the families represented by our import-damaged industries. I believe we will.

American industry and labor look to the Congress for the answer to their problems. The Congress represents the only hope for these industries and the people represented therein.

#### SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. FREY) to revise and extend their remarks and include extraneous matter:)

Mr. HALPERN, for 5 minutes, today.

Mr. WILLIAMS, for 25 minutes, today.

(The following Members (at the request of Mr. DANIEL of Virginia) to revise and extend their remarks and include extraneous material:)

Mr. DENT, for 60 minutes, today.

Mr. BOLAND, for 10 minutes, today.

#### EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. SIKES in five instances and to include extraneous matter.

Mr. CLEVELAND during the colloquy on the Schwengel amendment while in Committee of the Whole on H.R. 17654.

(The following Members (at the request of Mr. FREY) and to include extraneous matter:)

Mr. RAILSBACK.

Mr. STEIGER of Wisconsin in four instances.

Mr. BURTON of Utah in five instances.

Mr. HALPERN.

Mr. SCHMITZ.

Mr. RUPPE.

Mr. WYMAN in two instances.

Mr. MINSHALL in two instances.

Mr. BOB WILSON in two instances.

Mr. BEALL of Maryland.

Mr. BUSH.

Mr. BROTZMAN.

Mr. FISH.

The following Members (at the request of Mr. DANIEL of Virginia) and to include extraneous material:

Mr. BURKE of Massachusetts.  
Mr. PEPPER in five instances.  
Mr. HICKS in two instances.  
Mr. EDWARDS of California in three instances.

Mr. NICHOLS.

Mr. BOLAND in two instances.

Mr. BINGHAM in two instances.

Mr. ABBITT in two instances.

Mr. DORN in two instances.

Mr. MIKVA in six instances.

Mr. BRADEMANS in eight instances.

Mr. FASCELL in two instances.

Mr. HATHAWAY in two instances.

Mr. YATES.

Mr. ROBINO in three instances.

Mr. DINGELL in three instances.

Mr. KLUCZYNSKI in two instances.

Mr. FOUNTAIN in three instances.

Mr. DE LA GARZA in six instances.

Mr. OTTINGER in two instances.

Mr. RYAN in three instances.

Mr. FRASER.

#### SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 3959. An act to amend title 5, United States Code, to provide additional civil service retirement and sick leave benefits for air traffic controllers; to the Committee on Post Office and Civil Service.

#### ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 7618. An act to provide for the conveyance of certain real property of the Federal Government to the board of public instruction, Okaloosa County, Fla.

#### SENATE ENROLLED BILL SIGNED

The Speaker announced his signature to an enrolled bill of the Senate of the following title:

S. 3215. An act to amend the National Foundation on the Arts and the Humanities Act of 1965, and for other purposes.

#### ADJOURNMENT

Mr. DANIEL of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 57 minutes p.m.), the House adjourned until tomorrow, July 15, 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:

2212. A letter from the General Sales Manager, Export Marketing Service, U.S. Department of Agriculture, transmitting a report of agreements signed for foreign currencies under Public Law 480 during May and June 1970, pursuant to Public Law 85-128; to the Committee on Agriculture.

2213. A letter from the Deputy Assistant Secretary of Defense (Installations and Housing), transmitting notification of the location, nature, and estimated cost of certain facilities projects proposed to be undertaken for the Army National Guard, pursuant to 10 U.S.C. 2233a(1); to the Committee on Armed Services.

2214. A letter from the Assistant Secretary of Defense (Installations and Logistics), transmitting a report on Department of Defense procurement from small and other business firms for July 1969, through April 1970, pursuant to section 10(d), of the Small Business Act, as amended; to the Committee on Banking and Currency.

2215. A letter from the Secretary of the Interior, transmitting the eighth annual and final report on operations under the act to stabilize the mining of lead and zinc by small producers on public, Indian, and other lands, and for other purposes, pursuant to section 8 of the act; 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:

Mr. STAGGERS: Committee of Conference. Conference report on H.R. 14685 (Rept. No. 91-1299). Ordered to be printed.

Mr. PATMAN: Committee on Banking and Currency. H.R. 18306. A bill to authorize U.S. participation in increases in the resources of certain international financial institutions, to provide for an annual audit of the Exchange Stabilization Fund by the General Accounting Office, and for other purposes; with amendments (Rept. No. 91-1300). Referred to the Committee of the Whole House on the state of the Union.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 1139. Resolution for consideration of S. 1933, an act to provide for Federal railroad safety, hazardous materials control and for other purposes (Rept. No. 91-1301). Referred to the House Calendar.

Mr. PEPPER: Committee on Rules. House Resolution 1140. Resolution for consideration of H.R. 11157, a bill to amend title 18, United States Code, to prescribe the manner in which a witness in a Federal proceeding may be ordered to provide information after asserting his privilege against self-incrimination and to define the scope of the immunity to be provided such witness with respect to information provided under an order (Rept. No. 91-1302). Referred to the House Calendar.

Mr. McMILLAN: Committee of Conference. Conference report on S. 2601 (Rept. No. 91-1303). 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. ANNUNZIO:

H.R. 18440. A bill to provide a program to improve the opportunity of students in elementary and secondary schools to study cultural heritages of the major ethnic groups in the Nation; to the Committee on Education and Labor.

By Mr. BROYHILL of Virginia:

H.R. 18441. A bill to amend title 5, United States Code, to include as creditable service for purposes of the civil service retirement system certain periods of service of civilian

employees of nonappropriated fund instrumentalities under the Armed Forces, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BUSH:

H.R. 18442. A bill to amend the Internal Revenue Code of 1954 to allow a credit against income tax to individuals for certain expenses incurred in providing higher education; to the Committee on Ways and Means.

By Mr. CLANCY:

H.R. 18443. A bill to exempt from certain deep-draft safety statutes passenger vessels operating solely on the inland rivers and waterways; to the Committee on Merchant Marine and Fisheries.

By Mr. COLLIER:

H.R. 18444. A bill to amend section 7275 of the Internal Revenue Code of 1954 (as added by the Airport and Airway Revenue Act of 1970) to require that airline tickets, with respect to the transportation of persons by air which is subject to Federal tax, show the amount of such tax separately from the cost of the transportation involved; to the Committee on Ways and Means.

By Mr. KING:

H.R. 18445. A bill to amend section 7275 of the Internal Revenue Code of 1954 (as added by the Airport and Airway Revenue Act of 1970) to permit airline tickets, with respect to the transportation of persons by air which is subject to Federal tax, as well as the advertising related thereto, to show the amount of such tax separately from the cost of the transportation involved; to the Committee on Ways and Means.

By Mr. MESKILL (for himself and Mr. WEICKER):

H.R. 18446. A bill to adjust agricultural production, to provide a transitional program for farmers, and for other purposes; to the Committee on Agriculture.

By Mr. MINISH:

H.R. 18447. A bill to treat service by members of the Armed Forces in Cambodia or Laos as service in a combat zone for purposes of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. MONTGOMERY (for himself, Mr. TEAGUE of Texas, Mr. AYRES, Mr. BROWN of California, Mrs. CHISHOLM, Mr. DORN, Mr. DUNCAN, Mr. DULSKI, Mr. HALEY, Mr. HALPERN, Mr. HAMMERSCHMIDT, Mrs. HECKLER of Massachusetts, Mr. HELSTOSKI, Mr. PUCINSKI, and Mr. SATTERFIELD):

H.R. 18448. A bill to provide mortgage protection life insurance for service-connected disabled veterans who have received grants for specially adapted housing; to the Committee on Veterans' Affairs.

By Mr. PELLY:

H.R. 18449. A bill to amend section 7275 of the Internal Revenue Code of 1954 (as added by the Airport and Airway Revenue Act of 1970) to require that airline tickets, with respect to the transportation of persons by air which is subject to Federal tax, show the amount of such tax separately from the cost of the transportation involved; to the Committee on Ways and Means.

By Mr. ROYBAL (for himself, Mr. CORMAN, Mr. PETTIS, and Mr. GOLDWATER):

H.R. 18450. A bill to amend the Tariff Act of 1930 respecting licensing of customs brokers; to the Committee on Ways and Means.

By Mr. RYAN (for himself, Mr. ASHLEY, Mr. BROWN of Michigan, Mr. BROWN of California, Mr. BURTON of California, Mr. CONYERS, Mr. DADDARIO, Mr. DELLENBACK, Mr. ESCH, Mr. FARBERSTEIN, Mr. FEIGHAN, Mr. FISH, Mr. FRASER, Mr. HALPERN, Mr. HARRINGTON, Mr. HAWKINS, Mr. HOWARD, and Mr. HUNGATE):

H.R. 18451. A bill to amend the Truth in Lending Act to require that statements under open end credit plans be mailed in time to permit payment prior to the imposition of

finance charges; to the Committee on Banking and Currency.

By Mr. RYAN (for himself, Mr. KOCH, Mr. LOWENSTEIN, Mr. LUKENS, Mr. MIKVA, Mrs. MINK, Mr. MOORHEAD, Mr. MORSE, Mr. MURPHY of New York, Mr. OTTINGER, Mr. PODELL, Mr. ROSENTHAL, Mr. RUPPE, Mr. ST GERMAIN, Mr. TIERNAN, Mr. TUNNEY, and Mr. CHARLES H. WILSON):

H.R. 18452. A bill to amend the Truth in Lending Act to require that statements under open end credit plans be mailed in time to permit payment prior to the imposition of finance charges; to the Committee on Banking and Currency.

By Mr. SEBELIUS (for himself, Mr. SHRIVER, Mr. SKUBITZ, Mr. MIZE, and Mr. WINN):

H.R. 18453. A bill to provide for thorough health and sanitation inspection of all livestock products imported into the United States, and for other purposes; to the Committee on Agriculture.

By Mr. HARRINGTON:

H.R. 18454. A bill to amend the Fish and Wildlife Coordination Act to provide additional protection to marine and wildlife ecology by providing for the orderly regulation of dumping in the coastal waters of the United States; to the Committee on Merchant Marine and Fisheries.

By Mr. JOHNSON of Pennsylvania:

H.R. 18455. A bill to authorize the Interstate Commerce Commission to prescribe minimum standards for railroad passenger service, and for other purposes to the Committee on Interstate and Foreign Commerce.

By Mr. MILLER of Ohio:

H.R. 18456. 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. MIZELL:

H.R. 18457. A bill to provide for orderly trade in electronic articles; to the Committee on Ways and Means.

By Mr. MOSS (for himself, Mr. MURPHY of New York, Mr. BLANTON, Mr. STUCKEY, Mr. ECKHARDT, Mr. KEITH, and Mr. THOMPSON of Georgia):

H.R. 18458. A bill to provide greater protection for customers of registered brokers and dealers and members of national securities exchanges; to the Committee on Interstate and Foreign Commerce.

By Mr. PATTEN:

H.R. 18459. A bill to protect consumers against unreasonable risk or injury from hazardous products, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. PEPPER (for himself, Mr. BRADENAS, Mr. DANIELS of New Jersey, Mr. DENT, Mr. ESCH, Mr. FASCELL, Mr. FLOOD, Mr. GAYDOS, Mr. GUDE, Mr. HANSEN of Idaho, Mr. HARSHA, Mr. HATHAWAY, Mr. McCLOSKEY, Mrs. MINK, Mr. O'HARA, Mr. PELLY, Mr. PUCINSKI, Mr. REID of New York, Mr. ROSENTHAL, Mr. SCHEUER, Mr. STOKES, and Mr. THOMPSON of New Jersey):

H.R. 18460. A bill to amend the Older Americans Act of 1965 to provide grants to States for the establishment, maintenance, operation, and expansion of low-cost meal programs, nutrition training and education programs, opportunity for social contacts, and for other purposes; to the Committee on Education and Labor.

By Mr. PEPPER (for himself, Mr. DADDARIO, Mr. HALPERN, Mr. HELSTOSKI, Mr. McCLOSKEY, Mr. MIKVA, Mr. MOORHEAD, Mr. MORSE, Mr. OTTINGER,

Mr. REES, Mr. RODINO, Mr. ST GERMAIN, Mr. SISK, Mr. SYMINGTON, and Mr. TUNNEY):

H.R. 18461. A bill to promote the public welfare; to the Committee on Rules.

By Mr. ROSTENKOWSKI:

H.R. 18462. 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. TIERNAN:

H.R. 18463. A bill to repeal certain provisions of the Airport and Airway Development Act of 1970; to the Committee on Ways and Means.

By Mr. BOB WILSON:

H.R. 18464. A bill to amend title 38 of the United States Code to provide an alternative method for computing dependency and indemnity compensation in order to insure that in certain instances the survivors of deceased veterans receive an amount of compensation equal to that to which they would have been entitled if such veterans had been civil service employees killed while performing job-related functions; to the Committee on Veterans' Affairs.

H.R. 18465. A bill to amend title 38 of the United States Code to provide for automatic cost-of-living increases in dependency and indemnity compensation payable thereunder, and for other purposes; to the Committee on Veterans' Affairs.

By Mr. MURPHY of New York:

H.R. 18466. A bill to amend titles 39 and 18, United States Code, to prevent a seller or publisher from mailing goods, materials, or publications (or a bill therefor) to any individual pursuant to a purchase order or subscription bearing such individual's name without first confirming that such individual in fact sent the order or subscription; to the Committee on the Judiciary.

By Mr. HALEY (for himself and Mr. ASPINALL):

H. Con. Res. 680. Concurrent resolution relating to a national Indian policy; to the Committee on Interior and Insular Affairs.

By Mr. FRIEDEL:

H. Res. 1141. 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. WYMAN:

H. Res. 1142. 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.

## PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXI,

Mr. BROTZMAN introduced a bill (H.R. 18467) for the relief of Dominic Sointseff, which was referred to the Committee on the Judiciary.

## PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

539. By the SPEAKER: Petition of Henry Stoner, York, Pa., relative to a ceiling on broadcast advertising in general elections by candidates for Federal office; to the Committee on Interstate and Foreign Commerce.

540. Also, petition of Mr. Lillian McRay, Chocowinity, N.C., relative to appointments to the U.S. Supreme Court and other Federal benches; to the Committee on the Judiciary.