

HOUSE OF REPRESENTATIVES—Tuesday, August 11, 1970

The House met at 12 o'clock noon. Rev. Malcolm Nygren, First Presbyterian Church, Champaign, Ill., offered the following prayer:

Almighty God, we pray for each Member of this House. We know that we are not always right, but we pray that we shall always want to be. Give us sincerity in our convictions and make us humble enough to disagree without malice.

We love our country and we pray for it. We will do what we can to keep it safe and make it better, but you know how uncertain our efforts are. We long for peace among the nations and among ourselves, for help for the weak, and an equal chance for every man. These are giant dreams but earnest men press on toward them and by Your grace, the search shall not be in vain. Amen.

THE JOURNAL

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

MESSAGES FROM THE PRESIDENT

Sundry messages in writing from the President of the United States were communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on August 10, 1970, the President approved and signed a bill of the House of the following title:

H.R. 14705. An act to extend and improve the Federal-State unemployment compensation program.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17711) entitled "An act to amend the District of Columbia Cooperative Association Act."

RECOMMITTAL OF S. 703 TO THE COMMITTEE ON THE JUDICIARY

Mr. DONOHUE. Mr. Speaker, I ask unanimous consent that the Senate bill (S. 703) for the relief of Arthur Jerome Olinger, a minor, Private Calendar No. 285, be recommitted to the Committee on the Judiciary.

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

There was no objection.

THE STATE OF THE JUDICIARY ADDRESS

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

Mr. VANIK. Mr. Speaker, the state of the judiciary address of Chief Justice Warren E. Burger constitutes an important milestone in the presentation of the problems of the judiciary to the American people and to the Congress. The Chief Justice has rendered an invaluable service to the courts and to the public which they are designed to serve.

The statement is also controversial, as the Chief Justice suggests. I thoroughly disagree with the commendation in which he suggests that Congress in considering legislation to give rights and benefits to the citizen should pause to weigh their impact on the Nation's overburdened Federal courts. The burden on our courts should never constitute a barrier to the establishment of rights under our Constitution. The refinement of "rights" under the law is a process which must never be idled—and certainly never for the convenience of the courts.

The devastating effect of pollution on the environment calls for immediate action. This crime of destruction threatens the life span and the health of every human being—every living thing. Much of our present law on pollution provides the polluters with a canopy of shelter from prosecution, a barrier of protection to those who persist in the destruction of the air we breathe and the water we drink. The judicial branch of the Government is the ultimate hope of those who seek to restrain and control the permanent and lasting damage to our environment.

The same principle applies to the need for new legislation to protect the consumer from unwholesome, impure or inadequate foods, products, and services. It would be tragic if the congestion of our courts would constitute a basis for deferring legislation and judicial action on corporate crime—which can kill, maim, and destroy as certainly as individual crime.

The plea of the Chief Justice seems to be directed toward a slowdown on the restraint against corporate crime. It is against this concept that I violently disagree. Corporate crime provides today the greatest contribution of man's inhumanity to man. There is no justification for any type of delay or immunity.

The task of Congress and all legislative bodies is to legislate wherever there is need to insure to every citizen a preservation of his rights, his security, his freedom, and his stake in the environment, and his right to fair play in the marketplace.

If these new laws bring greater business to the courts, the courts can decide which cases it must hear, which cases are most vital to the public interest, which cases establish a legal milestone worthy of decision.

Insofar as the Chief Justice seems to ask for a stand-off or suspension on the enactment of laws relating to corporate crimes and wrongs in pollution and consumer affairs, I must disagree with him.

ANNUAL REPORT OF THE ST. LAWRENCE SEAWAY DEVELOPMENT CORPORATION FOR THE YEAR ENDING DECEMBER 31, 1969—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-375)

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

To the Congress of the United States:

In accordance with Section 10(a) of Public Law 358, 83rd Congress, as amended, I am transmitting the Annual Report of the St. Lawrence Seaway Development Corporation for the year ending December 31, 1969.

RICHARD NIXON.

THE WHITE HOUSE, August 11, 1970.

FIRST REPORT OF THE NATIONAL CORPORATION FOR HOUSING PARTNERSHIPS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, referred to the Committee on Banking and Currency.

To the Congress of the United States:

I am transmitting the first Report of the National Corporation for Housing Partnerships for the period December 16, 1968 to June 30, 1970.

The Corporation was created under Title IX of the Housing and Urban Development Act of 1968 as a private organization to work in partnership with local sponsors and builders, helping to produce housing responsive to local needs. The past year has demonstrated the possibilities of the Corporation. We should be particularly proud of the success of the initial financing program, which raised more than \$42 million in risk capital. These funds will enable the Corporation to assist in the production of more than 100,000 units of low and moderate income housing over the next few years.

It is my belief that the National Corporation for Housing Partnerships will make an important contribution to solving our Nation's housing problems. I commend this Report to your attention.

RICHARD NIXON.

THE WHITE HOUSE, August 11, 1970.

CALL OF THE HOUSE

Mr. GROVER. 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. 267]

Adams	Fallon	O'Neal, Ga.
Ashley	Flynt	Ottinger
Baring	Ford	Passman
Bell, Calif.	William D.	Plke
Berry	Fraser	Pollock
Blanton	Fulton, Tenn.	Powell
Bow	Gallagher	Rarick
Bray	Gilbert	Rees
Brock	Green, Pa.	Relfel
Brown, Calif.	Gubser	Rogers, Colo.
Burleson, Tex.	Hansen, Wash.	Rooney, N.Y.
Cabell	Hébert	Rostenkowski
Caffery	Helstoski	Roudebush
Celler	Hollifield	Russelot
Chisholm	Jones, Ala.	Ryan
Clark	Karth	Sandman
Clay	King	Scheuer
Cramer	Kleppe	Sullivan
Cunningham	Long, La.	Symington
Daddario	Lukens	Teague, Tex.
Dawson	McCulloch	Tunney
Dickinson	McKneally	Weicker
Diggs	McMillan	Wiggins
Downing	MacGregor	Wold
Dwyer	Mailliard	Wright
Edwards, La.	Miller, Calif.	Young
Erlenborn	O'Hara	Zwach
Evins, Tenn.	Olsen	

The SPEAKER. On this rollcall 347 Members have answered to their names, a quorum.

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

THE PROBLEM OF POLLUTION

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

Mr. HANLEY. Mr. Speaker, some time ago, the Federal Water Pollution Control Administration cited Onondaga Lake as one of the worst examples of a polluted body of water in the entire Great Lakes water basin. Onondaga Lake happens to be in my congressional district and I consider the honor of this citation as a dubious one. The scientific community says that Onondaga Lake is biologically destroyed. The laymen in my area say it is a mess. Depending on one's perspective, of course, both are right.

But water pollution, Mr. Speaker, is not the only problem afflicting my community. Last Monday morning, while driving to the airport for my return to Washington, I noticed a pall hanging over the city, a filthy, dirty smog of such intensity that I could not even see the polluted waters of Onondaga Lake. It was a combination of industrial soot, airplane fumes, and automobile exhaust. As I drove through this death belt the thought occurred to me: How much longer can we, as a society, last? We are befouling our waters at a frightening rate, we are up to our waists in waste, we have an almost maniacal desire to pollute the air we breathe and yet we go blithely on our way, gagging and choking, hopeful that it will all somehow go away. Well, it will not just go away, Mr. Speaker, and unless we do something about it now, we are going to have a monumental health hazard on our hands in a very short time. I submit that unless

we begin a massive counterattack on this problem immediately, we may not be able to overcome it. Perhaps it will take a baby dying of typhoid or an emphysema victim dropping on the street to wake us up. I hope not, but that is what we are heading for. In city after city, industry continues to belch the fumes of death out of their smoke stacks, automobiles, trucks, and buses continue to cloud up our streets, and our municipalities, towns, and villages themselves continue to pour raw or undertreated sewage into once beautiful streams and lakes.

Stringent national standards are both imperative and long overdue. It is a job for Congress, of course, but it is likewise a job for every State legislature, every village board, and every city council in the Nation. Perhaps a national convocation, under the sponsorship of the Interior Department is part of the answer. Certainly this would be conducive to the proper legislating of and implementation of national standards.

We are technologically the most advanced society in the history of mankind. We can dive to the depths of the ocean like fish; we can soar to the heavens like birds; but we apparently have not mastered the simple task of inhabiting the earth like rational human beings. We are on a collective suicide course from which the elements and the fates cannot rescue us. The question is: Can we rescue ourselves? I commend these hard thoughts to my colleagues.

AMENDING THE DISTRICT OF COLUMBIA COOPERATIVE ASSOCIATION ACT CONFERENCE REPORT

Mr. FUQUA. Mr. Speaker, I call up the conference report on the bill (H.R. 17711) to amend the District of Columbia Cooperative Association Act and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement see proceedings of the House of August 6, 1970.)

Mr. FUQUA. Mr. Speaker, the Senate amendment to H.R. 17711, in effect, adds to the bill the provision of H.R. 17601, to exempt FHA and VA mortgages and loans from the interest and usury laws of the District of Columbia.

NEED FOR THIS LEGISLATION

On September 22, 1969, the Federal National Mortgage Association announced that from that date, it would no longer purchase FHA-insured and VA-guaranteed mortgages covering single family to four-family properties located in the District of Columbia, unless it could be established that such mortgages would not be held usurious. In taking this action, FNMA stated its belief that the courts might well rule that the prevailing FHA and VA interest rates of 7½ percent, in combination with discount points paid by the seller which

would bring the total interest level to some 8.43 percent, exceeds the legal rate of interest specified in the District of Columbia usury law—District of Columbia Code, section 28-3301—which provides a ceiling of 8 percent on such loans.

This decision on the part of FNMA meant, in effect, that FHA-insured and VA-guaranteed mortgages will no longer be available in the District of Columbia until and unless this impasse can be resolved.

This situation has created a desperate mortgage crisis in the Nation's Capital. With Government-supported financing virtually no longer available, there exists today only a small fraction of the money needed to maintain a healthy real estate economy, as conventional loans are in extremely short supply.

The people who suffer most in this crisis are the families with small to moderate incomes, who can neither pay all cash for a home nor the large downpayment which would be necessary in most instances to assume existing financing. FHA-insured and VA-guaranteed loans have traditionally provided the means by which the person of modest means can purchase a home. At this time, therefore, homeownership, which is perhaps the most important single factor in stabilizing the inner city, has been virtually brought to a halt.

An additional problem is that the development of housing under the Section 235 program for low-income ownership also is severely restricted, and the District of Columbia Redevelopment Land Agency consequently is facing a far more difficult task in finding single-family housing for persons displaced by urban renewal activities.

This critical problem is by no means a local one, as the present inflationary rise in the cost of loans has created the same situation on a nationwide scale. As a result, our committee is informed, the following 19 States have enacted legislation exempting FHA and VA mortgages from the provisions of their usury laws: Alabama, Delaware, Georgia, Illinois, Iowa, Louisiana, Maryland, Michigan, Minnesota, Mississippi, New Jersey, New York, North Carolina, North Dakota, Pennsylvania, South Carolina, Vermont, Virginia, and West Virginia.

It should be noted that both Maryland and Virginia are among the States which have taken this realistic step. In December of 1969, Maryland exempted FHA and VA loans from the usury laws of that State with no limitation as to a terminal date for such exemption; and in March of 1970, the Virginia legislature exempted all first mortgage loans—FHA, VA, and conventional—from their usury laws, until July 1, 1972. These two actions are having a profound effect on the mortgage market in the District of Columbia, as the out-of-State funds which might normally be available to meet the financing needs of the citizens of the District are being diverted to Maryland and Virginia, where the prevailing interest rates are legal.

It is the opinion of our committee that in the face of this situation, it is extremely unlikely that the District of Co-

lumbia will be able to generate a sufficient amount of money from local financial institutions to meet the normal requirements of its citizens or the wishes and obligations of the District of Columbia government. For this reason, we feel strongly that the exemption of FHA-insured and VA-guaranteed loans from the interest and usuary laws of the District, as provided in this proposed legislation, is essential at this time.

This legislation was supported before your committee by spokesmen for the District of Columbia government, the Washington Board of Realtors, the District of Columbia Chamber of Commerce, the Mortgage Bankers Association of Metropolitan Washington, and the Washington Real Estate Brokers Association. Letters expressing approval of the bill were received also from the Secretary of Housing and Urban Development and from the Administrator of Veterans' Affairs in the Veterans' Administration. No opposition to the enactment of the legislation was presented.

Your committee believes this proposed legislation to be vitally necessary in order to attract long-term mortgage funds into the District of Columbia. The development and redevelopment of housing in the Nation's Capital can be accomplished, in our opinion, only within the scope of the several federally sponsored and insured loan programs. These are the only programs that make it possible for prospective homeowners to purchase residences with minimum amounts of cash and with the lowest possible monthly payments.

There has actually been a downward real estate trend in the District of Columbia for the past 5 years. In 1965, some \$562 million was loaned in this city secured by deeds of trust. By the end of 1969, this figure had declined to \$311 million, a loss of almost 45 percent. And for the first 3 months of 1970, while no figures are yet available to your committee, we are advised that the situation has become even more ominous.

Mr. HOGAN. Mr. Speaker, as the author of the original bill which would exempt FHA and VA mortgages from the usury laws of the District of Columbia, I am pleased that the committee has adopted an amendment to the legislation before us which would achieve this objective. There is a very serious housing crisis facing low- and middle-income residents of the District of Columbia who are unable to obtain housing at the present time because of the unrealistic ceiling on FHA and VA mortgages.

There is an estimated shortage of 50,000 housing units in the District of Columbia and there is no hope of alleviating this condition without this legislation. I, therefore, urge my colleagues to adopt this conference report. I appreciate very much the concern and cooperation of the distinguished gentleman from Florida (Mr. FUQUA), chairman of the subcommittee which handled this legislation.

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

The previous question was ordered.

The conference report was agreed to.

A motion to reconsider was laid on the table.

PROVIDING FOR CONSIDERATION OF COMPREHENSIVE HEALTH PLANNING AND SERVICES ACT OF 1970

Mr. PEPPER. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1181 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1181

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 18110) to amend the Public Health Service Act to extend the programs of assistance to the States and localities for comprehensive health planning. After general debate, which shall be confined to the bill and shall continue not to exceed one hour, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

The SPEAKER. The gentleman from Florida is recognized for 1 hour.

Mr. PEPPER. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska (Mr. MARTIN) pending which I yield myself such time as I may consume.

Mr. Speaker, House Resolution 1181 provides an open rule with 1 hour of general debate for consideration of H.R. 18110 to amend the Public Health Service Act to extend the programs of assistance to the States and localities for comprehensive health planning.

The principal purposes of H.R. 18110 are to extend and expand for 3 additional years the authorizations, contained in sections 304 and 314 of the Public Health Service Act, for grants for health services and facilities research and development, for formula and project grants for comprehensive health planning at the State and areawide levels, for State public health services, for new and demonstration health services delivery projects, and for training related to these activities.

The bill also provides initial authority for the development of a cooperative Federal-State-local statistics and information system to produce comparable and uniform health data throughout the Nation.

Mr. Speaker, I urge the adoption of the rule in order that the bill may be considered.

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

Mr. Speaker, the purpose of the bill is to extend for 3 years—through fiscal

1973—the grant assistance programs contained in sections 304 and 314 of the Public Health Service Act, and to authorize funding for these programs.

The two sections of the act, which are extended by this legislation, contain grant programs for assistance for comprehensive State health planning, areawide health planning, training of health personnel, health services development, and research and demonstrations relating to health facilities and services.

For these programs the bill authorizes \$335,500,000 for fiscal 1971, for 1972 the authorization is \$425,000,000, and for 1973 it is \$505,000,000.

The main thrust of all these various programs is to reshape our existing health service system to make it more effective in getting to the people the health services, in terms of personnel, equipment, facilities and treatment methods, that they need and deserve. To achieve this goal the existing act creates grant-in-aid incentives to States and localities to jointly plan, on an areawide basis, how to improve their present health services systems. This comprehensive joint planning is the key to better service to the public with the least likelihood of waste and duplication. Grants under the programs are made only for projects or programs which are in accordance with such comprehensive plans.

Additionally, the bill authorizes the development of a health services statistical system. Present data is insufficient to identify with particularity health problems and issues which need solving. All parties, Federal, State, and local officials will be involved in the setting up and operation of this system.

Finally, the bill seeks to remove the administrative redtape which grantees in the health services field are subject to because many projects are jointly fundable under various Federal assistance programs. The bill will relieve the grantees of filing duplicate applications. Also, one agency or administrative unit will oversee the project, and the grantee need report to that administrator only.

The administration supports the legislation as indicated by several agency letters.

Mr. PEPPER. Mr. Speaker, I have no further request for time and I move the previous question on the resolution.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

PERMISSION FOR COMMITTEE ON RULES TO HAVE UNTIL MIDNIGHT TONIGHT TO FILE CERTAIN PRIVILEGED REPORTS

Mr. PEPPER. Mr. Speaker, I ask unanimous consent, on behalf of the Committee on Rules, 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 Florida?

There was no objection.

PROVIDING FOR THE CONSIDERATION OF H.R. 8298 TO AMEND SECTION 303(b) OF THE INTERSTATE COMMERCE ACT.

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up the resolution (H. Res. 930) providing for the consideration of the bill (H.R. 8298), and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 930

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 8298) to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill as an original bill for the purpose of amendment under the five-minute rule. At the conclusion of such consideration the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

The SPEAKER pro tempore (Mr. ALBERT). The gentleman from Missouri (Mr. BOLLING) is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Nebraska (Mr. MARTIN), pending which I yield myself such time as I may require.

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

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

Mr. GROSS. I thank the gentleman for yielding.

Mr. Speaker, no copy of the resolution is at the desk. No copy of the report, no copy of the bill is available. When may we expect to get a report, and the bill on the House floor; does the gentleman have any idea?

Mr. BOLLING. Those items were printed some time ago. This is a very old rule and one on an old bill. What has happened, I will say to the gentleman from Iowa, is the matter that was scheduled for action at this time, as the gentleman from Missouri understands it, did not have its rule printed in time for it to be called up. That was the political broadcasting bill, and this one, I guess you can say, had been hanging fire for quite some time, and has been scheduled instead. I am sure the rule and the report and the bill itself will be promptly available, and I see even more promptly than I had anticipated.

Mr. GROSS. I understand that the report and bill are now here. Does the gentleman know whether there are ample copies for the membership if they want copies?

Mr. BOLLING. I am sure that there are or will be very soon.

Mr. Speaker, I would like to say to the House prior to reserving the balance of my time and allowing the gentleman from Nebraska to proceed on this matter, that I cannot say that this rule was not controversial. It was before the Committee on Rules for some time. It was highly controversial. It was killed in the Committee on Rules a number of months ago. It was defeated. An attempt was made last year to reconsider it. That attempt failed. Then the rule came up again this year and that led, I would say, to a rather prolonged struggle within the Committee on Rules.

A rule was granted. I was the author of the first motion, which was defeated. I then opposed its reconsideration on the grounds that to do so was not to follow orderly procedure during the first session of this Congress. Then during this present session, I renewed my effort to see that this matter which is extremely controversial would be decided by the House of Representatives.

There are very strong feelings and I believe very strong economic arguments on both sides of this question. My part in the affair to date has been only to see to it that the matter finally came before the House for decision—first on the rule and then on the matter itself.

This is one of those curious situations where the bill originally considered by the Committee on Interstate and Foreign Commerce was entirely different from the one finally reported.

There are a variety of economy interests very much concerned over the various aspects of the bill, pro and con, and it seems to me that those on both sides of the question deserve their time before the House of Representatives so that the Members may make their decision based on their judgment of the facts.

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

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

Mr. EDMONDSON. This is a bill, if I recall it correctly, which in substantial form has been disowned by its own author, and which probably had as unenthusiastic a presentation in behalf of it before the Rules Committee as I have ever heard made on behalf of any bill. Is that an accurate and fair statement?

Mr. BOLLING. That would get the gentleman from Missouri involved in the controversy in a way that he does not desire to be involved at this time. All I can say is that I have never seen more heat generated by a relatively small number of people than I have seen generated over this matter. I think that when this matter is debated, it will be a very interesting debate, and I hope that the House of Representatives and the Member from Missouri now speaking will be able to find where the public interest lies, because very clearly there is considerable controversy on this subject.

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

Mr. BOLLING. I am glad to yield to the gentleman from Texas.

Mr. ECKHARDT. I thank the gentleman for yielding. Let me say that I am one of the coauthors of the bill. I strongly support it, and I understand the author of the bill and those supporting the bill may support an amendment. I certainly feel no reluctance nor hesitancy in my support of this bill. I think it is a good bill.

Mr. EDMONDSON. Mr. Speaker, will the gentleman yield further?

Mr. BOLLING. I am delighted to yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I just spoke with the gentleman who is the author of the bill. He is on his feet and can speak for himself. He says he is opposed to the bill as it is before us unless it is amended.

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

Mr. BOLLING. I am delighted to yield to the gentleman from Tennessee.

Mr. KUYKENDALL. I thank the gentleman from Missouri for yielding. I will support the amendment to be offered by the gentleman from Minnesota (Mr. NELSEN). I agree with the approach of the gentleman from Missouri that the House should have its chance to work its will and to actually vote up or down the bill itself, including the amendment of the gentleman from Minnesota. So I do support the rule on that basis.

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

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

Mr. NELSEN. Mr. Speaker, I would like to point out that this bill started out to be a bill governing the mixing of cargoes by the regulated carriers. I have no objection to that. But it turned out to be a rate-fixing bill covering the unregulated carriers in the publication of rates, which I think is totally unfair. We have an amendment that will permit mixing by the regulated carriers but will leave the unregulated carriers in their present situation. I think the Rules Committee saw the wisdom of what I was trying to do. In fact, they held up action on the bill after my presentation. I thank the gentleman for yielding.

Mr. BOLLING. Mr. Speaker, it is clear that what I said originally is accurate. This matter is controversial, and I think at this time requires a decision by the House of Representatives. Therefore, I urge the Members to support the rule and to listen attentively to the arguments that will be made by the proponents and the opponents when the bill is under general debate in the amendment stage. I reserve the balance of my time.

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

Mr. Speaker, House Resolution 930 provides for an open rule with 2 hours of debate on H.R. 8298, a bill to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the application and scope of the exemption provided therein.

The resolution also provides that it

shall be in order to consider the committee substitute as an original bill for the purpose of amendment.

As the gentleman from Missouri has stated, this is a very controversial or complicated piece of legislation that we wrestled with in the Committee on Rules for a period of several months. I believe the Members will realize its nature from the colloquy that has taken place thus far this morning. However, at the present time we have under consideration only the rule itself and, Mr. Speaker, I support the rule and reserve the balance of my time.

Mr. BOLLING. Mr. Speaker, I move the previous question.

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

LEGISLATIVE PROGRAM

The SPEAKER pro tempore (Mr. ALBERT). The Chair would like to make a statement. The order of business as announced on the program has been interrupted by the failure, as the gentleman from Missouri said, to get printed copies of the rule out, but the rule which was next in order is presently available, and the Chair recognizes the gentleman from Missouri for the purpose of calling up that resolution.

PROVIDING FOR THE CONSIDERATION OF H.R. 18434—THE POLITICAL BROADCASTING BILL

Mr. BOLLING. Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 1177 and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1177

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 18434) to revise the provisions of the Communications Act of 1934 which relate to political broadcasting. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, the bill shall be read for amendment under the five-minute rule. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit. After the passage of H.R. 18434, the Committee on Interstate and Foreign Commerce shall be discharged from the further consideration of the bill S. 3637, and it shall then be in order in the House to move to strike out all after the enacting clause of the said Senate bill and insert in lieu thereof the provisions contained in H.R. 18434 as passed by the House.

The SPEAKER pro tempore. The gentleman from Missouri (Mr. BOLLING) is recognized for 1 hour.

Mr. BOLLING. Mr. Speaker, I yield 30 minutes to the gentleman from Ne-

braska (Mr. MARTIN), pending which I yield myself such time as I may consume.

Mr. Speaker, this is an open rule with 2 hours of general debate, providing only a special provision that the matter go to conference under the Senate title.

This, I understand, is a somewhat controversial matter which is brought up by the rule, but I know of no controversy on the rule itself. Therefore, I reserve the balance of my time.

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

Mr. Speaker, the purpose of the bill is to—

First, repeal the "equal opportunities" provisions of the Communications Act with respect to candidates for President and Vice President, which will permit the TV networks to donate free broadcast time to significant candidates for these offices;

Second, to insure that rates charged political candidates by the TV networks and stations are as low as any advertiser may receive; and

Third, to set limits on how much may be spent on TV advertising by candidates for the following offices: President and Vice President during a general election; U.S. Senator, Representative, Governor and Lieutenant Governor in both primary and general elections.

The major reason for this legislation is the ever increasing costs of television and radio time to political candidates as this method of campaigning becomes more and more important. The Federal Communications Commission estimates that in 1968 political spending for radio and TV time totaled \$58,900,000. This is a 70 percent increase over the last presidential year—1964. Further, this figure represents only the costs of buying time; production costs are an entirely separate item. Something must be done to reduce these costs to insure that candidates are financially able to campaign over the airwaves.

To insure this, the bill provides that the charges made for the use of broadcasting station to any legally qualified candidate for public office may not exceed the lowest unit charge of the station for the same amount of time in the same period. This will place all political candidates seeking to buy time on the same footing with a station's most favored commercial advertiser. A determination of what is the lowest unit charge can be somewhat complex. It will be the duty of the Federal Communications Commission to insure compliance with this section.

In order to insure that all candidates for major office have an approximately equal opportunity to use the broadcast media, the bill also sets limits as to how much may be expended, based on the total number of votes cast in that particular election at the most recent previous election. All candidates for major offices are included under the limitations provided, including President, Vice President, U.S. Senator and Representative, Governor and Lieutenant Governor. Except for the first two, primary, as well as general elections, are covered in the cost limitations imposed.

For a general election, candidates would be entitled to spend up to 7 cents

multiplied by the number of votes cast in the last general election for the office, or \$20,000, if greater. For a primary election all candidates could spend one-half this amount.

Under this formula, in the 1972 election, candidates for President and Vice President for each party could spend up to \$5,100,000 to buy broadcast time.

It should be emphasized that this limitation goes only to the purchase of time. It does not cover the costs of production of campaign programing.

The bill also provides that the several States, by law, may bring candidates for State and local offices under the limitations imposed.

Finally, the bill would repeal the equal opportunity clause of the Communications Act with respect to any legally qualified candidate for the office of President or Vice President in a general election. It would remain in force in connection with all other offices.

This repealer would make it possible for broadcast networks to donate free time for future "Great Debates" as were held in 1960. By repealing this provision, the networks will not be required to make equal time available to all candidates, but could provide it for those of significance.

All provisions of the bill become effective on January 1, 1971. They will have no effect on any election this year.

Mr. Speaker, I have no further requests for time.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CALL OF THE HOUSE

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

The SPEAKER pro tempore. Evidently a quorum is not present.

Mr. GARMATZ. 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. 268]

Adams	Evins, Tenn.	Powell
Anderson,	Fallon	Price, Tex.
Tenn.	Flynt	Rarick
Ashley	Fuqua	Rees
Aspinall	Gallagher	Reid, N.Y.
Baring	Gilbert	Reifel
Beall, Md.	Goldwater	Rivers
Berry	Gray	Rogers, Colo.
Bow	Gubser	Rooney, N.Y.
Bray	Hansen, Wash.	Rosenthal
Brock	Hathaway	Rostenkowski
Brown, Calif.	Hébert	Roudebush
Burleson, Tex.	Hosmer	Rousselot
Caffery	Hull	Roybal
Carey	Johnson, Pa.	Ryan
Casey	Jones, N.C.	Satterfield
Chisholm	King	Saylor
Clark	Kleppe	Scheuer
Clay	Long, La.	Smith, Calif.
Cohelan	McCloskey	Stuckey
Cramer	McCulloch	Sullivan
Cunningham	McKneally	Symington
Daddario	Maillard	Talcott
Dawson	Murphy, N.Y.	Tunney
de la Garza	O'Hara	Welcker
Dickinson	Olsen	Wilson, Bob
Diggs	O'Neal, Ga.	Wright
Dwyer	Ottinger	Young
Edwards, La.	Passman	Zwack
Erlenborn	Pollock	

The SPEAKER pro tempore. On this rollcall 342 Members have answered to their names, a quorum.

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

PERSONAL ANNOUNCEMENT

Mr. HELSTOSKI. Mr. Speaker, on rollcall No. 241 on July 30, 1970, I am recorded as absent. I was officially excused because of official business away from the Capitol.

On rollcall No. 242, I am recorded as not voting. Had I been present, I would have voted "yea" on the conference report to amend the Railroad Retirement Act of 1937 to provide a 15-percent increase in annuities for retired railroad employees. I voted in favor of this legislation when it was first considered in the House on April 7, 1970.

Mr. Speaker, on the two subsequent rollcalls I am recorded as voting, having returned to the House Chamber, after completing the business which kept me away earlier.

COMPREHENSIVE HEALTH PLANNING AND SERVICES ACT OF 1970

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 18110) to amend the Public Health Service Act to extend the programs of assistance to the States and localities for comprehensive health planning.

The SPEAKER pro tempore. The question is on the motion offered by the gentleman from West Virginia.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 18110, with Mr. BROOKS in the chair.

The Clerk read the title of the bill.

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

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

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

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

Mr. Chairman, this bill represents a 3-year extension of existing law, with revisions and improvements unanimously agreed to by the committee, and we recommend its adoption by the House.

In 1966 our committee recommended, and the Congress adopted, a revision of section 314 of the Public Health Service Act which is today known as the Partnership for Health Act. The program established by this act in general provides for Federal grant assistance to aid the States in comprehensive planning for health, and also provides assistance for areawide health planning agencies.

In addition, the legislation adopted in 1966 provided for formula grants to all the States for health services, with the determination of individual priorities as among health programs being left to the States themselves. In addition, section 314(e), as revised in 1966, authorized a program of project grants for health services within each of the States.

The formula grant programs and the project grant programs in general are required to be conducted consistently with the overall State plan for health services adopted by the State comprehensive health planning agencies.

Since the establishment of the 1966 legislation, we have considered extensions of a number of categorical grant programs, such as the mental retardation legislation just recently passed by the House, the community mental health center legislation which became law earlier this year, as well as the Hill-Burton program.

The problem of the relationship between comprehensive health planning and the specific program oriented laws, such as Hill-Burton, is of concern to our committee, and it is our intention to review in connection with future extensions of the Hill-Burton and other such acts the proper relationship of comprehensive health planning to the programs carried out under these acts.

The bill reported by the committee authorizes for the programs under section 314 a total of \$367.5 million for fiscal 1971, \$325 million for fiscal 1972, and \$387 million for fiscal 1973 for the programs of comprehensive planning, training, formula grants, and project grants.

In addition, existing law—section 304 of the Public Health Service Act—authorizes a program of research and demonstrations into new methods of delivery of health services, such as innovative hospital construction, utilization of computers in medical applications, automation of hospital and other medical equipment, and similar programs designed to aid in reducing costs of health care. The bill reported by the committee extends this program without change for 3 additional years, authorizing \$58 million in appropriations for fiscal 1971, \$79 million for fiscal 1972, and \$94 million for fiscal 1973.

The bill also provides for an expansion of the existing program for provision of health statistics and national health surveys and studies. This program has been in existence for a number of years, and aids in providing basic information needed by the Federal Government and by the States to pinpoint specific health problems susceptible to solution by Federal and State legislative action. The amendments adopted by the committee would authorize an expansion of this program to provide for a cooperative program with the States and localities for producing comparable and uniform health information and statistics.

The bill authorizes \$10 million for fiscal 1971, \$20 million for fiscal 1972, and \$22 million for fiscal 1973 for these purposes.

In addition the legislation authorizes the administration of projects funded under separate provisions of the Public Health Service Act, or the Public Health Service and other acts, to permit applicants to deal with only one Federal agency and to meet only one set of Federal requirements. A very similar provision, Government-wide in its application, is contained in legislation already passed by the House, H.R. 14517, the proposed Joint Funding Simplification Act.

The bill also provides for the establishment of a National Advisory Council to advise and consult with the Secretary of Health, Education, and Welfare with respect to the administration of the partnership for health program. We feel that this will be of aid in the administration of the program, by providing expert advice to the Secretary in this area.

Mr. Chairman, our committee held hearings on this legislation, and both the Subcommittee on Public Health and Welfare and the full committee were unanimous in ordering the bill reported to the House. We urge its adoption by the House.

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

Mr. Chairman, it is always difficult in considering the comprehensive health program and legislation to extend its authorizations to explain adequately the history of this effort and its relationship to other medical programs. It is a combination of longstanding arrangements which have been combined and to which have been added new and broader planning efforts.

The Federal Government has for many years supported the efforts of States and individual communities in fighting particular health dangers, the ramifications of which brought them within the definition of public health problems. Among the categories involved have been vaccination programs for various diseases, control of venereal diseases, and in all 16 similar activities. Originally each of these was recognized as justifying national recognition and support. In due course these various public health problems presented less difficulty on a nationwide basis but were still very troublesome in certain areas.

When it became evident that some areas would still need support in all or part of these categories while others could better use funds by concentrating on one or two, it was recognized by the Department of Health, Education, and Welfare and by the Congress that this fragmented system had outlived its usefulness. One of the original purposes of the comprehensive health program, which was later called Partnership for Health, was to eliminate the categories and make funds available to the States for concentration on the most pressing need.

Another major objective of the legislation has been to encourage and support health planning on a State and areawide basis. The very categorical character of the original system intended to put

blindness upon the administrators and render the effort parochial. If health services were ever to be coordinated it would have to be through a broad view of the needs as well as realistic inventories of the means available to meet those needs. The result of combining all of these things into one piece of legislation has been an emphasis on planning at State and local levels combined with training, studies and demonstrations.

While planning and experimentation have gone on and will continue into the future, it has been necessary, as it still is, to carry out the operational requirements of these public health services. Because of this there has been a blending of the old and cumbersome with the new and streamlined.

The bill before us today continues these efforts by making available authorizations for the next 3 years. The 1971 authorization amounts to \$267 million as opposed to an appropriation of \$247 million.

There are two features in the proposed legislation which are not included in the items within the budget but which would be handled in other ways and under other authorizations. These are the national health studies and the demonstrations relating to health facilities and services. These two items together account for \$68 million of the 1971 authorizations included in the bill.

The Members of the House have undoubtedly noted that the main difference between the health bills brought to the floor by the committee and the desires of the administration as to funding have rested mainly in the area of construction. This is not a construction program, and there is very little disagreement as to either the objectives or the program items to be included. Here again the relationship between comprehensive health planning and regional health planning should be stressed. Because these two efforts are aimed at the same ultimate objective as far as planning is concerned they should come closer together as time goes on. It has been the objective of the committee and of the legislation which the Congress has approved in the past to bring this about in logical and timely fashion. This bill, like the one also before Congress on regional medical planning, will require coordination at all levels particularly by requiring the participation of the authorities engaged in comprehensive health planning on the advisory boards of the regional medical activities.

This bill also places increased interest on the gathering and dissemination of health statistics. This becomes more and more necessary if the best of medical knowledge is to be made available to doctors and patients no matter where they may be located.

Mr. Chairman, I urge the approval of the bill H.R. 18110 by the House.

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

Mr. ROGERS of Florida. Mr. Chairman, I thank the gentleman for yielding and I rise in strong support of this legis-

lation—H.R. 18110. As has been pointed out this legislation is to extend for 3 additional years programs that are now ongoing, particularly to bring about better planning in our health approach needs for the American people, areawide planning and statewide planning. This is an essential step and I think from the evidence we have heard in the committee hearings show that we are making substantial progress now in these fields.

Also as the Members know this Congress approved some years ago the proposal that we would get into block grants for the States for comprehensive health programs or partnership for health programs and this is an extension of that program as well.

Now there will be times I am sure when certain health problems come to the fore where we may have to zero in on with categorical grants such as communicable diseases but this basic approach of block grants is the one we want to continue and this legislation does that.

Mr. Chairman, I think Congress can be very proud of what is being accomplished in this program and I am very hopeful because of the planning that we can lead to a reduction in many areas of health diseases and in fact to prevent duplication of services and facilities which add to the cost.

Although the comprehensive health planning program—partnership for health—is just now beginning to really get off the ground, I am confident that with a few changes the program will go far to assist in organizing the rather unorganized, disoriented health care delivery system that exists in our Nation today. The amendments to this program are intended to extend and expand the authorizations for 3 additional years for grants for health services and facilities research and development, for formula and project grants for comprehensive health planning at the State and areawide levels, for State public health services, for new and demonstration health services delivery projects, and for training related to these activities.

H.R. 18110 would authorize \$335.5 million for fiscal 1971, \$425 million for fiscal 1972, and \$505 million for fiscal 1973 for a total of \$1,465.5 million for the three programs. The comprehensive health planning authorizations in the bill total \$267.5 million for fiscal 1971, \$325 million for fiscal 1972, and \$389 million for fiscal 1973 for a total authorization for extending the program for 3 years of \$981.5 million.

H.R. 18110 extends the program of grants to States for comprehensive health planning with authorizations of \$10 million for fiscal 1971, \$15 million for fiscal 1972, and \$20 million for fiscal 1973. The State planning agencies are now beginning to progress from the organizational level to the planning level and are demonstrating their effectiveness in reducing duplication of health care delivery resources such as facilities, manpower, and services within the boundaries of the States. The provisions of this bill will strengthen the organization of the State health planning agencies by requiring representation of those involved in re-

gional medical programs on State health planning councils. The bill would also broaden the coverage of the planning of health facilities and manpower to include environmental considerations as they relate to public health.

Section 314(b) extends the project grants for areawide health planning with authorizations of \$15 million for fiscal 1971, \$25 million for fiscal 1972, and \$40 million for fiscal 1973 for a total of \$80 million. The bill would require that areawide planning agencies will give reasonable assurances to the Secretary that they have provided for areawide planning councils to coordinate their planning efforts and that they have made provision for assisting health care facilities in their areas to develop a program for capital expenditures for replacement, modernization, and expansion which is consistent with their State plan and which would not add to duplication of facilities and services.

Section 314(c) would extend health planning training grants under the present law for an additional 3 years at authorization levels of \$8 million for fiscal 1971, \$10 million for fiscal 1972, and \$12 million for fiscal 1973.

Section 314(d) would extend and increase the authorizations for State formula grants at a level of \$125 million for fiscal 1971, \$140 million for fiscal 1972, and \$160 million for fiscal 1973. Written into the bill is also a provision which would make it a requirement that applications for these grants from the States would make assurances that the State plan is compatible with the total health program of the State. Section 314(e) would extend and increase the authorizations for project grants at a level of \$109 million for fiscal 1971, \$135 million for fiscal 1972, and \$157 for fiscal 1973. The bill also contains a provision requiring that project grants may be made only if the application for these grants have been referred for review and comment to the appropriate areawide health planning agency or agencies.

The bill also provides for the establishment of a National Advisory Council on Comprehensive Health Planning Programs. The Council consists of 16 members including leaders in the fields of the fundamental sciences, the medical sciences, or the organization, delivery, and financing of health care. Council membership will also include officials in State and areawide health planning agencies, leaders in health care administration, community, State and other public affairs, and representatives of the consumers of health care. In order to clarify the committee's intent regarding individuals in the "fundamental sciences," I would like to say that this is intended to mean those clinical fields including medicine, dentistry, optometry, pharmacy, osteopathy, and veterinary medicine where relevant to human health, and other health-related fields and fundamental and applied sciences.

It shall be the function of the council to advise and assist the Secretary in the preparation of general regulations and policy matters arising with respect to the administration of the program and to re-

view the accomplishments of the program annually to determine their effectiveness in carrying out its purposes.

H.R. 18110 will go far to consolidate the existing comprehensive health planning program so that it will more effectively deal with the problems of organizing the health care delivery system in our Nation. Its provisions require increased cooperation with the regional medical program so that these agencies can more efficiently coordinate their sometimes overlapping activities. To combine these programs at the present time would probably destroy their individual functions. Therefore I urge support of H.R. 18110.

THE BRUTAL ASSASSINATION OF DAN A. MITRIONE
IN URUGUAY

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the distinguished minority leader, the gentleman from Michigan (Mr. GERALD R. FORD).

(By unanimous consent, Mr. GERALD R. FORD was allowed to speak out of order.)

Mr. GERALD R. FORD. Mr. Chairman, I raise my voice today in the hope that peoples of the world of whatever persuasion, creed or nationality will realize that the death Monday of an American citizen in Montevideo, Uruguay, at the hands of Communist terrorists is a senseless, savage, cowardly act; it is now clear for all the world to see how these people plan to bring about changes in their society. The wave of revulsion which has followed this brutal act proclaims the total bankruptcy of terrorism, from whatever end of the spectrum, as an instrument of political action.

Dan A. Mitrione, chief public safety adviser of our AID program of assistance to the Uruguayan police was doing his job, helping the Uruguayan police to be more effective in providing service to the public in a modern and humane manner. Indeed he was trying to help the police assume their proper role in Uruguayan society. His assassination at the hands of the subversive movement for national liberation bodes ill for the continued growth of this society.

It has been suggested by some that this tragedy raises questions as to whether the United States should be engaged in this activity. I submit that it proves instead how important it is for us to persevere in this essential task.

The frequent reference we have heard to "political prisoners" is totally misleading. The MLN demanded release of all "political prisoners" held by the Government as ransom. It should be noted that these people are not being held nor were they convicted because of their political beliefs. They are criminals arrested for murder, bank robbery, extortion, and the like. Constant reference to them otherwise by us all gives an erroneous impression as to why they are being held by the Uruguayan Government.

I have seen some reference to this subversive group that it has a Robin Hood image. Dan Mitrione's murder should dispell any doubt that this group is anything but a Communist-led gang intent on the overthrow of the democratically

elected government of President Pacheco Areco.

I view with equal concern the plight of Mr. Claude Fly, an American agriculturist in the employ of the Uruguayan Government who is still being held by the terrorists. I am confident that the Uruguayan Government and particularly the Uruguayan police did all in their power to obtain the release of Mr. Mitrione. I am confident that they will continue to be unwavering in their efforts to effect Mr. Fly's release and that of the Brazilian consul, Mr. Aloysio Mares Dias Comide. I commend the tireless efforts of the American Ambassador, Charles Adair, the many officials in the Department of State who have worked tirelessly for the past week in an effort to effect Mitrione's release, and I especially commend Mr. Byron Engle, Director of the Office of Public Safety in AID for the leading role he played in this effort. Expressions of concern by the Pope lead us to hope that the subversives will bend to public opinion and release the remaining hostages.

Mr. Mitrione's body is being flown back tonight to his hometown of Richmond, Ind., for burial and the tribute of his former neighbors and friends. The Uruguayan Government will pay its last tribute to him before the plane leaves tonight bearing his body and grieving wife and children away from the locale of his murder. His comrades in the police force there will have the job of bringing to justice those responsible for his brutal murder.

This Government must do all in its power to assist the Uruguayan Government to assure that the assassins pay the price for their crime and that such crimes are condemned throughout the world.

The coldblooded murder of Mr. Mitrione shocks us all and prompts us to renew our prayers for those still being held.

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

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. FRELINGHUYSEN. Mr. Chairman, I should like to congratulate the gentleman on his statement. I certainly associate myself with the gentleman's remarks, and wish to extend my deepest sympathy to Mr. Mitrione's family.

This is a shocking tragedy. It was brutal, senseless, and inexcusable. The perpetrators of this coldblooded murder must be brought to justice promptly.

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

Mr. ROGERS of Florida. Mr. Chairman, will the gentleman yield?

Mr. GERALD R. FORD. I yield to the gentleman.

Mr. ROGERS of Florida. Mr. Chairman, I commend the gentleman for his statement. I am sure we all share his feelings of concern.

I would hope that our Government would offer sufficient moneys as a reward for any information which will bring those who have brought about this tragedy to justice. I would think this would be one thing we could do very quickly, to offer a reward for informa-

tion leading to the arrest, trial and conviction of those who are responsible. I am wiring the Secretary of State today urging that this be done.

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

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the distinguished gentleman from Missouri (Mr. HALL).

Mr. HALL. Mr. Chairman, I wish to commend the committee for all the hearings and for this report on the Comprehensive Health Planning and Services Act of 1970. This is another health bill and, indeed, it comes from the distinguished Committee on Interstate and Foreign Commerce that handles almost all health matters, indeed, all health matters except those involving taxation.

The time has long since come when we should devote more of the taxable funds we take from the taxpayers, whether it be progressive or regressive taxes, to the care of our own people, and as a doctor in the House, I can think of no better place to spend it than on the health of the people.

I suppose that with the exception of Dr. TIM CARTER of the committee and Dr. MORGAN, there is no one outside of the committee that has interested himself more in these programs that are melded together here than has the gentleman from Missouri now speaking in the well. This involves the basic Public Health Services Act and, as has been so well said, it does extend in many areas and amalgamates or melds together the various programs in order to avoid duplication, overlapping, and so forth.

Mr. Chairman, these programs are working. There is no question about that. They have increased the health of the Nation, the reporting ability, the coordinating, and the staffing, so to speak, of medical knowledge so that it is universally applicable in a quality manner. I think there is no question but that it has maintained quality health care in keeping with the technological breakthroughs of the profession that has led to the extension of life, albeit, it is not responsible for the continued support of the very life that it extends.

I would particularly commend the committee for taking over the neighborhood health centers from OEO and placing them under the Department of Health, Education, and Welfare. There are many other areas in which they could be commended. I am sorry that time does not allow all of that.

However, Mr. Chairman, I think the people of America should know, and certainly the members of this Committee on the State of the Union as a whole should know that any progression by fiscal year estimates of the cost of this care should be self-limiting. The long-ranged definition of the success or failure of these programs is bound to be failure if the costs do not become self-limiting at some future date. If we were to go from over a third of a billion dollars in fiscal year 1971 to a half billion a year in fiscal year 1973, there should be adequate explanation therefor, and it ought to be more than a "guesstimate" of cost and usages of the taxpayers' money. These

are tremendous sums. They are of necessity estimates, and these are the authorizations that come home to roost in the form of appropriations, and whatever Congressmen and whatever Representatives may be here 2 years from now, they will have to live with that which we authorize today, and all of us have seen this to the point of difficulty in balancing any budget or living within any priorities.

I want it understood that I am for these priorities. Perhaps I am prejudiced. But again I want to point out that by these very acts we have not only made the people of America believe that through comprehensive care or neighborhood health planning or medicare or medicaid or Hill-Burton construction or care of the mental retarded or the specific disabilities or whatnot, all of which have become sacred cows, that we have weaned them away from the idea of securing their own futures and providing their own ways and avoiding being public charges, just as, indeed, by the same activities we are more and more supporting the hospitals, nursing, and professional care by physicians and their adjutant aides. One wonders how long Federal taxes can provide the sustenance and expect essentials such as well and moral stamina to persist in our peoples—or do we?

The statement has been made here on the floor today that medicare and medicaid are paying 72 percent of the health bill for the Nation's aged. This is perhaps very commendable. Certainly it is in keeping with the intent of Congress, but this is a dramatic shift from only 4 years ago when 70 percent of the health expenses for the elderly were privately paid. Perhaps a change in 1 or 2 percentage points is not very important. The thing I am trying to drive home, Mr. Chairman, is that the importance in such a statement and the dramatic effect, is that we have shifted into a 72 percentage of public care of all the aging, just as we are in hospital construction and mental care and retardation care and professional care and everything else, away from that which a few years ago was privately paid.

I just think it is important that we know what we are doing within the provisions of this and other associated and so-called health-care bills. In spite of all that and in keeping with the sign of the times, I suppose the thing to do is to go ahead and aid and abet these institutions and the training of staff personnel, so that we can, indeed, staff that which we build and continue, adequate, if not better, medical care of the public. We have long since started down this trail.

I am always reminded that in 1954 I was told by a great educator that by the year 1960, we would be 700,000 classrooms short if the Federal Government did not provide Federal classrooms in elementary and secondary education. The fact of the matter is that we did not, and ended up less than 40,000 short in 1960; because those estimators and harbingers of doom had forgotten to realize that, left alone and without Federal care, the local school boards would

build adequate numbers of classrooms—minus 40,000 vis-a-vis the 700,000—to take care of the people as they estimated them in the local districts.

One is bound to wonder what would happen if we removed the Federal source of continuing health-care funds in all of these programs, and if we stayed our tiptoeing down the primrose path of socialism, at least in health care and health services, if the families and local communities would not themselves adequately care for sick and disabled people as they have in the past.

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

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

Mr. HOSMER. Mr. Chairman, is the gentleman from Missouri in favor of the bill we have before the Committee at the present time?

Mr. HALL. Mr. Chairman, had the gentleman from California been present at the beginning of my statement, he would have heard me say I am strongly in favor of the bill as the Committee brought it forward.

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

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

Mr. Chairman, I wish to commend the gentleman from Missouri (Mr. HALL) for his comments. I think they were well taken, based on his role as a doctor, as to what we are doing.

Mr. Chairman, at this time I yield such time as he may consume to the gentleman from Oklahoma (Mr. JARMAN), who is the chairman of the subcommittee which reported the bill.

Mr. JARMAN. Mr. Chairman, I rise in support of H.R. 18110, a bill to extend the programs of assistance of the States and localities for comprehensive health planning and other purposes.

The first major objective of the bill is to extend and modify the Partnership for Health Act. This program represents a primary key for reshaping the Nation's 60-billion-dollar-a-year health industry into a better organized, more complete, efficient, and effective system.

When the Congress first enacted the Partnership for Health in 1966, it acknowledged the necessity for encouraging and assisting communities and States—working in concert with all interested parties—to take stock of their own health problems and resources and to determine the means best suited to their situations for solving the problems.

Congress can take pride in the many notable activities underway and the significant accomplishments already achieved through the Partnership for Health. They are encouraging signs that Comprehensive Health Planning, and its related program of specialized training, and the development of comprehensive health services will, in fact, make a major difference in the improvement of health and health services.

The bill includes several new features to improve cooperation and coordination of national efforts. H.R. 18110 will require the appointment of a National Ad-

visory Council on Comprehensive Health Planning Programs to advise and assist the Secretary, Department of Health, Education, and Welfare, regarding regulations and policies related to these programs, and to place increased emphasis on: First, the cooperation and coordination between these programs and the regional medical programs; and, second, the relationship between improved organization and delivery of health services and financing such services.

H.R. 18110 also adds greater flexibility for responding to and coordinating the development of more comprehensive and new health services by providing joint funding arrangements for single projects that include more than one of various HEW programs, and also for single projects by more than one Federal agency.

The proposed amendments regarding health statistics, a second objective of the bill, would change section 305(a) of the Public Health Service Act to reflect the increasing demand for data regarding health care resources, environmental and social health hazards, and family formation, growth, and dissolution. In addition, an assurance of confidentiality would be added for certain records containing information of a personal and privileged nature and identifiable as to source.

Most importantly, authorization would be provided to develop and demonstrate models of a cooperative Federal-State-local health statistics system. The Federal Government is now dependent upon State and local sources for many types of health statistics, principally in fields of births, deaths, health facilities, and manpower. On the other hand, local areas often rely on Federal statistical resources for information which they should be obtaining for themselves in a detail that would permit adequate health planning and evaluation of program progress. The intent of this legislation is to carry on the research needed to develop a cooperative system in which each level of jurisdiction carries on those functions for which it has the greatest capability, with an interchange of statistical information of uniform quality and comparability. Such a system would add substantially to the volume and quality of baseline data needed for comprehensive health planning and assessment of progress toward the delivery of adequate health care.

The third major objective of the bill is to extend section 304 of the Public Health Service Act which provides the Secretary of Health, Education, and Welfare with his principal authority to assist communities to improve their health services through research and development. Section 304, administered by the National Center for Health Services Research and Development, authorizes grants and contracts for research, development, demonstrations, and related training in all aspects and problems of the organization, delivery, and financing of health services in hospitals, other health care facilities, and in communities and populations. Experiments may be conducted on the construction, organization, and operation of hospitals and other facilities, experi-

mental automated equipment, new careers in health services and new methods of training health personnel, and on entire new systems for organizing, delivering and financing health services in communities. Under the unique provisions of section 304 the National Center in the past 2 years has developed cooperative arrangements with the leaders of the health professions and institutions to direct contract-supported research and development on the practical problems involved in extending access to health services while containing costs and maintaining quality of services. These cooperative R. & D. arrangements also assure that the early achievements of projects in one locality will be rapidly communicated through professional channels to doctors and hospitals in many other places. The authority of section 304 is also administered by the national center to maximize cooperation with regional medical programs and comprehensive health planning and simplify joint action of two or more of these programs in many communities.

Mr. Chairman, I submit that these programs, and the modifications and improvements relating to them included in H.R. 18110, are vital to the Nation's efforts to make accessible to every American, at a price he can pay, the highest quality of health and medical care attainable. I recommend, therefore, the enactment of H.R. 18110.

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

Mr. JARMAN. I am happy to yield to the distinguished majority leader.

Mr. ALBERT. I appreciate the fine statement the gentleman has made. The House is indebted to the committee and to him as chairman of the subcommittee for the tremendous amount of work which has been done in the health field since he has been the chairman of that subcommittee.

As a fellow Oklahoman, I want to say I am personally very proud of the gentleman's work and take pleasure in recognizing it before our colleagues.

Mr. JARMAN. I thank the gentleman for his commendation and his efforts in support of our subcommittee and the full committee.

Mr. STAGGERS. Mr. Chairman, I, too, want to join the majority leader in commending the chairman of the subcommittee, and every member of the subcommittee. I know of no committee of the House which ever worked longer in a year than this committee has on health bills.

The bill we have before us now required 40 executive sessions. Members can imagine all of the arguments and so on which occurred.

The committee members have worked not only in the morning but also many evenings, trying to get the bills completed. They have had a constant flow of legislation coming from the committee. It has been a hard-working committee.

I want to commend the gentleman from Oklahoma (Mr. JARMAN) and every member of the committee for the great work they have done.

Mr. CARTER. Mr. Chairman, I support H.R. 18110, a bill to amend the Public Health Service Act to extend the programs of assistance to the States and localities for comprehensive health planning.

The purpose of the bill is to extend, for 3 additional years, sections 304 and 314 of the Public Health Service Act.

Grants for health services and facilities research and development, for formula and project grants for comprehensive health planning to the State and areawide levels, for State public health services, for new and demonstration health services delivery projects, and for training related to these activities. The bill also provides for development of a cooperative Federal-State-local statistic and information system to produce comparable and uniform health data throughout the Nation.

A table showing the authorization levels follows:

SUMMARY TABLE, AUTHORIZATION LEVELS

(In millions of dollars)

	Fiscal year—		
	1971	1972	1973
Comprehensive health planning and services (sec. 314):			
Comprehensive State health planning (sec. 314(a))	10.0	15	20
Areawide health planning (sec. 314(b))	15.0	25	40
Training, studies, and demonstrations (sec. 314(c))	8.0	10	12
Comprehensive public health services (sec. 314(d))	125.0	140	160
Health services development (sec. 314(e))	109.5	135	157
National health surveys and studies	10.0	21	22
Research and demonstrations relating to health facilities and services	58.0	79	94
Total	335.5	425	505

OTHER PROVISIONS OF THE BILL

In addition to the foregoing, the bill would accomplish the following:

First, make explicit the concern of comprehensive health planning with environmental health;

Second, strengthen the working relationships between comprehensive health planning agencies and regional medical programs, by requiring representation of the regional medical programs on planning advisory councils;

Third, provide for the establishment of areawide advisory councils with a membership representation of the public voluntary, and nonprofit private groups concerned with health, local government, regional medical programs, and consumers of health services;

Fourth, require areawide comprehensive health planning agencies to provide for assistance to health care facilities in their respective areas in developing programs for capital expenditures for replacement, modernization, and expansion consistent with overall State plans;

Fifth, require that the State plan for public health services be compatible with the total health program of the State;

Sixth, authorize, as supportable costs of health services development projects under section 314 (e), payments for equity requirements and amortization of loans on facilities acquired from the Office of Economic Opportunity;

Seventh, provide that project applications involving the furnishing of public health services under 314(e) be referred for review and comment to the appropriate areawide comprehensive health planning agency;

Eighth, expand the scope of the national health survey authorized under section 305 to include (a) health care resources, (b) environmental and social health hazards, and (c) family formation, birth, and dissolution; and guarantee the confidentiality of information obtained through such studies and surveys;

Ninth, provide for a National Advisory Council on Comprehensive Health Planning Programs of 16 members with representation of the various relevant health interests prescribed. The Council is charged with advising and assisting the Secretary of Health, Education, and Welfare regarding regulations and policies relating to the administration of the comprehensive health planning and public health services functions under specified provisions of the Public Health Service Act, with increased emphasis to be placed on the cooperation and coordination of these programs with regional medical programs and on the relationship between the improved organization and delivery of health services and the financing of such services. The Council is also required to review annually the authorized grant programs under these provisions to determine their effectiveness in carrying out the purposes of the legislation.

Tenth, amend title V of the Public Health Service Act to facilitate the administration of jointly funded projects under more than one statute administered by the Department of Health, Education, and Welfare, or by the Department and/or by one or more other Federal agencies. In such cases, regulatory or contract requirements of a technical nature may be waived, a single unit may be designated to administer the project, and a single non-Federal share requirement may be established according to the proportion of funds advanced by each Federal agency.

One of the features of the bill is the improvement and broader use of the Medex experiment which utilizes returning medical corpsmen and other health-trained personnel to relieve doctors of many services which these persons are competent to handle. The program has been a resounding success and does much to increase medical services. The information system which will be created under the bill will make it possible for

persons living some distance from experimental medical facilities to reap the benefits of national progress which is not afforded to them at this time.

The purposes of this bill are carried out primarily through comprehensive health planning programs. These are located in nearly every State and more than half the population of the United States now lives in areas served by area-wide comprehensive health planning agencies. It is hoped that such programs will cover the entire Nation in the next few years.

One of the unique factors of this bill is that it allows State plans to address themselves to individual problems. For example, in the Watts community in Los Angeles a successful program utilizing the facilities of medical schools in that area along with local hospitals has brought about better health care to those living in depressed conditions.

Similarly, programs have been initiated in rural communities by bringing State medical schools into the areas for health treatments.

The bill is endorsed by all concerned persons, including HEW and the administration.

Mr. DONOHUE. Mr. Chairman, as a cosponsor and supporter of the original partnership for health measure that was enacted in 1967, I intend to further support, and I hope this House will overwhelmingly approve, this currently proposed measure, H.R. 18110, the Comprehensive Health Plan and Services Act of 1970.

The principal purposes of this pending measure are to extend and expand for 3 additional years the appropriation authorizations contained in the Public Health Service Act, for grants for health services and facilities research and development, for formula and project grants for comprehensive health planning at the State and areawide levels, for State public health services, for new and demonstration health services delivery projects, for training related to these activities and to also provide initial authority for the development of a cooperative Federal-State-local statistics and information system to produce comparable and uniform health data throughout the Nation.

Mr. Chairman, there is no question that our unfortunate national crisis in health care services is becoming increasingly intensified and apparent practically every day. This bill recognizes this crisis development and intensification and represents a sound attempt to sensibly meet and overcome it. In simple substance it is designed to extend and improve the basic partnership for health programs already approved by the Congress and further enable the Federal Government, States, and communities to more efficiently and effectively coordinate professional personnel efforts and medical plant resources to insure that no person anywhere in this country will be denied reasonable access to essential health services.

Mr. Chairman, there is no question whatever that the authorizations proposed are in sensible accord with our

critical health service needs and that the provisions of the bill represent the continuation of a sound and prudent investment in the national interest. This is certainly a measure which can truly be said to be "good for all Americans," and I earnestly hope it is soon and resoundingly adopted by the House.

Mr. PRICE of Illinois. Mr. Chairman, I urge support of the bill H.R. 18110 to amend the Public Health Service Act to extend the programs of assistance to the States and localities for comprehensive health planning. This bill promises to streamline the organization of our \$60 billion per year health industry, thereby creating a more efficient and effective system for the conduction of research and administration of services.

Testimony before the House Committee on Interstate and Foreign Commerce has indicated that comprehensive health planning and its related programs of training and service development have made a tremendous contribution to the much needed improvement of health and health services. We are experiencing considerable returns from our initial investment in comprehensive health planning, but to fully realize the initiations of the Public Health Service Act, the present programs must be extended locally where they will be more accessible to the consumer, thereby making the State and national programs more workable.

The bill will require that regional medical programs be represented on the State health planning and advisory councils. Since these regional programs promote health services of all kinds designed to operate for the best interests of their particular geographic area, they are of vital concern to comprehensive health planning in communities and States. Local comprehensive health planning agencies will have a voice in the development of public health service projects in their respective areas.

Whereas the existing law does not require that State comprehensive health planning provide for environmental health, H.R. 18110 specifies that environmental considerations as related to public health must be included, of course, for the programs to be truly "comprehensive."

Another improvement over the existing law is the provision for the establishment of advisory councils on which specific areawide health interests are represented similar to the State health planning council setup, here made up of public, voluntary, and nonprofit private groups concerned with health, local governors, regional medical programs, and most importantly, consumers of health services.

The present law requires State comprehensive health planning to provide assistance for each State health facility in developing programs of capital expenditures for replacement, modernization, and expansion consistent with overall State planning. Comparable requirements were not placed upon the local health planning agencies which are most accessible to the public. Fortunately, the provisions of H.R. 18110 will increase the quality standards of those areawide

agencies by extending the development requirements to the grassroots level.

To assist the local and State advisory councils, H.R. 18110 provides for the establishment of a National Advisory Council on Comprehensive Health Planning Programs. This committee will advise and assist the Secretary of Health, Education, and Welfare regarding regulations and policies of these programs and will evaluate the effectiveness of all grants in carrying out the purposes of programs. The worth of this evaluatory function cannot be denied, for it will help prevent wasting of funds.

Sorely lacking are information and statistics for truly effective health planning. The Federal-State-local organization hopefully will rectify these inadequacies. The 3-year extension of funds will also aid in the exploration of new research techniques utilized with dramatic effectiveness by the National Institutes of Health and thereby may help cut increasing health costs without sacrificing quality of services.

Mr. Chairman, we live at a time of ever-increasing concern over the quality of life. In our fight to protect and improve the conditions of existence, what could be a more basic goal than good health? The provisions of H.R. 18110 will benefit all Americans, and I urge my colleagues to vote for this legislation.

Mr. BOLAND. Mr. Chairman, I want to express my support for this legislation to extend and expand programs administered under the Public Health Service Act. The bill—it would authorize spending of \$335.5 million in fiscal 1971, \$425 million in fiscal 1972, \$505 million in fiscal 1973—promises to bring the act up close to what many health experts would consider its full potential. The need for better health care planning and health care research is so obvious it hardly warrants mention here. A glance at any hospital—or any other kind of health care facility, for that matter—makes this need startlingly plain. The number of trained health personnel, the number of available beds, the number of laboratories, the number of buildings themselves all lag far behind the very minimum necessary.

The Public Health Service Act—more specifically, its sections 304 and 313—offers Federal grants to improve health services and health research. It provides formula grants, moreover, for a variety of other health programs: planning at the State and regional levels, the States' health services and demonstration projects, training programs in general. Under the legislation now before us, the act would be expanded to—

Bring environmental health within the scope of health planning;

Include health care resources, environmental health hazards and family size information in the National Health Survey;

Establish area advisory councils and stipulate that area health planning agencies help health care facilities in program development;

Improve coordination between area and State health programs;

Give area planning agencies an oppor-

tunity to review project grants within their regions, helping to eliminate the kind of duplication and competition that threatens health care; and

Establish a National Advisory Council on Comprehensive Health Planning Programs.

As I said in offering the "health emergency amendment" a few weeks ago—the amendment seeking full funding of HEW's health programs—the phrase "crisis in health care" is not just another empty shibboleth. It is today a stark reality. Without adequate health care programs, and without adequate funding for such programs, health care in the United States may verge on chaos within the near future.

Again, Mr. Chairman, I urge passage of this bill.

Mrs. HECKLER of Massachusetts. Mr. Chairman, I rise to express my support of the Comprehensive Health Planning and Services Act of 1970. This bill is vital to National, State, and local public health programs and I urge its overwhelming approval by the House today.

The bill will provide grants for health services and facilities research and development, formula and project grants for comprehensive health planning at the State and regional levels, State public health services, new and demonstration health services delivery projects, and training related to these projects.

In addition, the bill provides, for the first time, authority for the development of a cooperative Federal-State-local statistics and information system to produce comparable and uniform health data throughout the Nation.

While the Congress officially recognized over a century ago the need for cooperation between the Federal and State Governments in the control and prevention of disease, it was not until recently that the Congress adopted the comprehensive approach for the support of State and local health initiatives based upon sound planning and matching payments.

We must recognize the fact that good health is of prime importance if we are to be successful in improving the quality of American life. We must provide adequate health care as a basis for achieving other goals of our society.

The drive toward improved quality of our health care services must have realistic administration if it is to succeed. The comprehensive approach embodied in this legislation recognizes the need to eliminate the multitude and variety of requirements for applications for assistance. This will encourage the States to determine health needs, set health goals and start achievement activities with a minimum of administrative problems.

This measure, Mr. Chairman, has my fullest support.

Mr. GALIFIANAKIS. Mr. Chairman, I rise this afternoon to support H.R. 18110, the Comprehensive Health Planning and Services Act of 1970.

The program we are considering today is a critical part of our effort to reshape the Nation's health industry into a more effective system.

I think the committee and the spon-

sors of this legislation deserve the commendation of every Member of the House for their work on this bill.

Once again, the committee demonstrated its concern for the health care of American citizens as it has in developing health proposals in recent years. We know that unless we can deliver health care to the public in an orderly and efficient manner, all of our medical research will go in vain.

The Comprehensive Health Planning and Services Act of 1970 is a major step in making that delivery of health care more orderly.

In its expansion of the authorization for health services and facilities research and development, this bill will do much to improve comprehensive health planning at the State and regional levels.

But Mr. Chairman, perhaps the greatest accomplishment of this bill lies in the provision which authorizes the initial development of a Federal-State health information system.

As anyone who has been active in the area of health legislation knows, it often is difficult to obtain the statistical information needed to establish the need for new or improved programs.

Health data not only varies in form from State to State, but often it is impossible to find national data because of inconsistencies in local reporting.

The program initiated by this bill can end the inconsistency. It can make possible the kind of research into health needs of America that we must have in order to meet the crisis in public health care.

Mr. Chairman, I fully support the bill which is before the House today and urge each of my colleagues to vote for it.

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

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

The CHAIRMAN. Under the rule, the Clerk will read the bill for amendment.

The Clerk read as follows:

H.R. 18110

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. This Act may be cited as the "Comprehensive Health Planning and Services Act of 1970".

SEC. 2. (a) Section 314(a)(1) of the Public Health Service Act is amended by striking out "and" immediately after "June 30, 1969," and by inserting immediately before the period at the end thereof the following: ", \$10,000,000 for the fiscal year ending June 30, 1971, \$15,000,000 for the fiscal year ending June 30, 1972, and \$20,000,000 for the fiscal year ending June 30, 1973".

(b) Section 314(a)(2)(B) of such Act is amended by inserting "(including representatives of the regional medical program)" immediately after "concerned with health".

(c) Section 314(a)(2)(C) is amended by inserting immediately before the semicolon at the end thereof the following: "and including environmental considerations as they relate to public health".

SEC. 3. (a) The first sentence of section 314(b) of the Public Health Service Act is amended by striking out "ending June 30, 1970" and inserting in lieu thereof "ending June 30, 1973".

(b) Such section is further amended by

striking out "and" immediately following "June 30, 1969," and by inserting immediately before the period at the end the following: ", \$15,000,000 for the fiscal year ending June 30, 1971, \$25,000,000 for the fiscal year ending June 30, 1972, and \$40,000,000 for the fiscal year ending June 30, 1973".

(c) Such section is further amended by inserting "(1)" immediately after "(b)" and by adding at the end thereof the following new paragraph:

"(2) Grants under this subsection may be made only upon an application approved by the Secretary which contains or is supported by reasonable assurances that—

"(A) areawide agencies have provided for the establishment of an areawide health planning council, which shall include representatives of public, voluntary, and non-profit private agencies, institutions, and organizations concerned with health, including representatives of the interests of local government, of the regional medical program, and of consumers of health services; and

"(B) the areawide health planning agency has made provision for assisting health care facilities in its area to develop a program for capital expenditures for replacement, modernization, and expansion which is consistent with an overall State plan which will meet the needs of the State and the area for health care facilities, equipment, and services without duplication and otherwise in the most efficient and economical manner."

SEC. 4. Section 314(c) of the Public Health Service Act is amended by striking out "ending June 30, 1970" and inserting in lieu thereof "ending June 30, 1973"; by striking out "and" immediately after "June 30, 1969,"; and by inserting immediately before the period at the end thereof the following: ", \$8,000,000 for the fiscal year ending June 30, 1971, \$10,000,000 for the fiscal year ending June 30, 1972, and \$12,000,000 for the fiscal year ending June 30, 1973".

SEC. 5. (a) Section 314(d)(1) of the Public Health Service Act is amended by striking out "and" immediately after "June 30, 1969," and by inserting after "June 30, 1970," the following: "\$125,000,000 for the fiscal year ending June 30, 1971, \$140,000,000 for the fiscal year ending June 30, 1972, and \$160,000,000 for the fiscal year ending June 3, 1973,".

(b) Section 314(d)(2)(C) of such Act is amended by striking out "and (iii)" and inserting in lieu thereof "(iii)" and by inserting before the semicolon at the end thereof the following: "; and (iv) the plan is compatible with the total health program of the State".

SEC. 6. (a) Section 314(e) of the Public Health Service Act is amended by striking out "and" immediately after "June 30, 1969," and by inserting after "June 30, 1970," the following: "\$109,500,000 for the fiscal year ending June 30, 1971, \$135,000,000 for the fiscal year ending June 30, 1972, and \$157,000,000 for the fiscal year ending June 30, 1973,".

(b) The first sentence of 314(e) is further amended by inserting immediately after "cost" the following: "(including equity requirements and amortization of loans on facilities acquired from the Office of Economic Opportunity)".

(c) The second sentence of such section is amended to read as follows: "Any grant made pursuant to clause (1) or (2) of the preceding sentence with respect to projects involving the furnishing of public health services may be made only if the application for such grant has been referred for review and comment to the appropriate areawide health planning agency or agencies (or, if there is no such agency in the area, then to such other public or nonprofit private agency or organization (if any) which per-

forms similar functions) and only if the services will be provided in accordance with such plans as have been developed pursuant to subsection (a)."

Sec. 7. Title III of the Public Health Service Act is amended by adding after section 315 thereof the following new section:

"NATIONAL ADVISORY COUNCIL ON COMPREHENSIVE HEALTH PLANNING PROGRAMS

"Sec. 316. (a) The Secretary shall appoint, without regard to the civil service laws, a National Advisory Council on Comprehensive Health Planning Programs. The Council shall consist of the Secretary or his designee, who shall be the chairman, and sixteen members, not otherwise in the regular full-time employ of the United States, who are (1) leaders in the fields of the fundamental sciences, the medical sciences, or the organization, delivery, and financing of health care, (2) officials in state and areawide health planning agencies, (3) leaders in health care administration, or State or community or other public affairs, who are State or local officials, or (4) representatives of consumers of health care. At least six of the appointed members shall be individuals representing the consumers of health care, one shall be an official of a State health planning agency, one shall be an official of an areawide health planning agency, and one shall be a member of the National Advisory Council on Regional Medical Programs.

"(b) Each appointed member of the Council shall hold office for a term of four years, except that any member appointed to fill a vacancy prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term, and except that the terms of office of the members first taking office shall expire, as designated by the Secretary at the time of appointment, four at the end of the first year, four at the end of the second year, four at the end of the third year, and four at the end of the fourth year after the date of appointment. An appointed member shall not be eligible to serve continuously for more than two terms.

"(c) Appointed members of the Council, while attending meetings or conferences thereof or otherwise serving on the business of the Council, shall be entitled to receive compensation at rates fixed by the Secretary, but not exceeding \$100 per day, including traveltime, and while so serving away from their homes or regular places of business they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by law (5 U.S.C. 5703(b)) for persons in the Government service employed intermittently.

"(d) The Council shall advise and assist the Secretary in the preparation of general regulations for, and as to policy matters arising with respect to, the administration of sections 314 and 315 of this title, with increased emphasis on cooperation in the coordination of programs thereunder with the National Advisory Council on Regional Medical Programs, with particular attention to the relationship between the improved organization and delivery of health services and the financing of such services; and shall, in carrying out such functions, review not less often than annually, the grants made under sections 314 and 315 to determine their effectiveness in carrying out its purposes. The Council shall consider all applications for grants under section 314 and shall make recommendations to the Secretary with respect to approval of applications for and the amounts of grants under section 314 of this title."

Sec. 8. Title V of the Public Health Service Act is amended by adding at the end thereof the following new section:

"JOINT FUNDING

"Sec. 513. (a) Pursuant to regulations prescribed by the Secretary, where funds are

advanced for a single project pursuant to the authority of more than one statute administered by the Department of Health, Education, and Welfare, any one administrative unit within the Department may be designated to act for all in administering the funds advanced. In such cases, a single non-Federal share or participation requirement may be established according to the proportion of funds advanced under each authorization and any such administrative unit may waive any technical grant or contract requirement (as defined by such regulations) which is inconsistent with the similar requirements of the administering unit or which such unit does not impose.

"(b) Pursuant to regulations prescribed by the President, where funds are advanced for a single project by more than one Federal agency to an agency or organization assisted under this title, any one Federal agency may be designated to act for all in administering the funds advanced. In such cases, a single non-Federal share requirement may be established according to the proportion of funds advanced by each Federal agency, and any such agency may waive any technical grant or contract requirement (as defined by such regulations) which is inconsistent with the similar requirements of the administering agency or which the administering agency does not impose."

Sec. 9. (a) (1) Clause (1) of subsection (a) of section 305 of the Public Health Service Act is amended by striking out "and" before "(E)", and by inserting after the semicolon at the end of such clause: "(F) health care resources; (G) environmental and social health hazards; and (H) family formation, growth, and dissolution;"

(2) Such subsection is further amended by adding at the end thereof the following new sentence: "No disclosure of any information obtained in accordance with this paragraph may be used for any purpose other than the statistical purposes for which it was supplied except pursuant to regulations of the Secretary; nor may any such information be published if the particular establishment or person supplying it is identifiable except with the consent of such establishment or person."

(b) Section 305 is further amended by redesignating subsections (b), (c), and (d) as subsections (c), (d), and (e), respectively, and by adding after subsection (a) the following new subsection:

"(b) The Secretary is authorized, directly or by contract, to undertake research, development, demonstration, and evaluation, relating to the design and implementation of a cooperative system for producing comparable and uniform health information and statistics at the Federal, State, and local levels."

(c) Such section 305 is further amended by adding at the end thereof the following new subsection:

"(f) There are hereby authorized to be appropriated to carry out this section not to exceed \$10,000,000 for the fiscal year ending June 30, 1971, \$21,000,000 for the fiscal year ending June 30, 1972, and \$22,000,000 for the fiscal year ending June 30, 1973.

Sec. 10. Section 304(d) of the Public Health Service Act is amended (1) by striking out "and" before "\$60,000,000," and (2) by inserting immediately after "June 30, 1970" the following: "; \$58,000,000 for the fiscal year ending June 30, 1971, \$79,000,000 for the fiscal year ending June 30, 1972, and \$94,000,000 for the fiscal year ending June 30, 1973."

Sec. 11. Part B of title III of the Public Health Service Act is amended by striking out "Surgeon General" each place it appears and inserting in lieu thereof "Secretary".

Mr. STAGGERS (during the reading). Mr. Chairman, I ask unanimous consent that the bill be considered as read,

printed in the RECORD, and open to amendment at any point.

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

There was no objection.

COMMITTEE AMENDMENT

The CHAIRMAN. The Clerk will report the committee amendment.

The Clerk read as follows:

Committee amendment: Page 7 beginning in line 20, strike out "The Council shall" and all that follows down through line 24 and insert in lieu thereof a quotation mark.

The committee amendment was agreed to.

The CHAIRMAN. Under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker pro tempore (Mr. ALBERT) having resumed the chair, Mr. BROOKS, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill (H.R. 18110) to amend the Public Health Service Act to extend the programs of assistance to the States and localities for comprehensive health planning, pursuant to the House Resolution 1181, he reported the bill back to the House with an amendment adopted by the Committee of the Whole.

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

The question is on the amendment.

The amendment was agreed to.

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

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

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

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

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

The SPEAKER pro tempore. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 376, nays 1, not voting 52, as follows:

[Roll No. 269]

YEAS—376

Abbott	Bevill	Burke, Mass.
Abernethy	Biaggi	Burlison, Mo.
Adair	Blester	Burton, Calif.
Adams	Bingham	Burton, Utah
Addabbo	Blackburn	Bush
Albert	Blanton	Button
Anderson, Calif.	Blatnik	Byrne, Pa.
Anderson, Ill.	Boggs	Byrnes, Wis.
Andrews, Ala.	Boland	Cabell
Andrews,	Bolling	Camp
N. Dak.	Brademas	Carey
Annuzio	Brasco	Carter
Ashbrook	Brinkley	Casey
Ashley	Brooks	Cederberg
Aspinall	Broomfield	Celler
Ayres	Brotzman	Chamberlain
Barrett	Brown, Calif.	Chappell
Beall, Md.	Brown, Mich.	Chisholm
Belcher	Brown, Ohio	Clancy
Bell, Calif.	Broyhill, N.C.	Clark
Bennett	Broyhill, Va.	Clausen,
Betts	Buchanan	Don H.
	Burke, Fla.	Clawson, Del.

Cleveland
Cohelan
Collier
Collins
Colmer
Conable
Conte
Conyers
Corbett
Cornan
Coughlin
Cowger
Crane
Culver
Daniel, Va.
Daniels, N.J.
Davis, Ga.
Davis, Wis.
de la Garza
Delaney
Dellenback
Denny
Dennis
Dent
Derwinski
Devine
Diggs
Dingell
Donohue
Dorn
Dowdy
Downing
Dulski
Duncan
Dwyer
Eckhardt
Edmondson
Edwards, Ala.
Eilberg
Erlenborn
Esch
Eshleman
Evans, Colo.
Farbstein
Fasell
Feighan
Findley
Fish
Fisher
Flood
Flowers
Foley
Ford, Gerald R.
Ford,
 William D.
Foreman
Fountain
Fraser
Frelinghuysen
Frey
Friedel
Fulton, Pa.
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gettys
Gialmo
Gibbons
Gilbert
Goldwater
Gonzalez
Goodling
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Gross
Grover
Gubser
Gude
Hagan
Haley
Hall
Halpern
Hamilton
Hammer-
 schmidt
Hanley
Hanna
Hansen, Idaho
Hansen, Wash.
Harrington
Harsha
Harvey
Hastings
Hathaway
Hawkins
Hays
Hechler, W. Va.
Heckler, Mass.
Helstoski

Preyer, N.C.
Price, Ill.
Price, Tex.
Pryor, Ark.
Pucinski
Purcell
Quile
Quillen
Rallsback
Randall
Rees
Reid, Ill.
Reid, N.Y.
Reuss
Rhodes
Riegler
Rivers
Roberts
Robison
Rodino
Roe
Rogers, Fla.
Rooney, Pa.
Rosenthal
Roth
Rousselot
Roybal
Ruppe
Ruth
St Germain
Sandman
Satterfield
Saylor
Schadeberg
Scherle
Scheuer
Schneebell
Schwengel
Scott
Sebelius
Shipley
Shriver
Sikes
Sisk
Skubitz
Slack
Smith, Calif.
Smith, Iowa
Smith, N.Y.
Snyder
Springer
Stafford
Staggers
Stanton
Steed
Steiger, Ariz.
Steiger, Wis.
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Taft
Talcott
Taylor
Teague, Calif.
Teague, Tex.
Thompson, Ga.
Thompson, N.J.
Thomson, Wis.
Tiernan
Udall
Ullman
Van Deerlin
Vander Jagt
Vanik
Vigorito
Waggonner
Waldie
Wampler
Watson
Watts
Whalen
Whalley
White
Whitehurst
Whitten
Widnall
Wiggins
Williams
Wilson, Bob
Wilson,
 Charles H.
Winn
Wold
Wolf
Wyatt
Wyder
Wylie
Wyman
Yates
Yatron
Young
Zablocki
Zion

NAYS—1
Schmitz
NOT VOTING—52

CHPA CHOOSES ITS "VOLUNTEERS"—GROUP
SETS OWN MEMBERSHIP RULES TO CONTROL
HEALTH CARE

(By Bill Gagnon)

SANTA ANA.—A fear that Comprehensive Health Planning Associations (CHPA) are another big step toward socialized medicine, designed as a tightly controlled monopoly to stifle competition and free enterprise, rapidly is becoming a reality here.

In opposing legislation which established such "health planning" groups here last year, U.S. Rep. John Schmitz, R-Tustin, then a member of the state senate, said:

"(This law) . . . would reduce our hospitals to little more than departments of government, for all practical purposes obliterating the remaining distinction between public and private hospitals . . . (This) bill reads like a blueprint for a socialized hospital system."

These prophetic words of Schmitz are an apt description of what is now occurring in the health care field in this area.

And the concern expressed only last November by Assemblyman Gordon Duffy, R-Hanford, over the "composition" of the Orange County CHPA, apparently was well-founded, indeed.

For in little more than a year, the local CHPA has blossomed into one of the most powerful—and feared—groups in this county, cracking the whip of its dictatorial authority over non-profit and proprietary hospitals alike.

At this time some of those in the health care field are being subjected to unreasonable pressures, demands—and oftentimes, abuse—of health planners, most of whom are uninformed or have only scant knowledge of complex operations and the real needs of hospitals.

Lawmakers have given such pressure groups the authority—despite these shortcomings—to make high-level decisions which may wreak havoc and spell financial ruin for some of the country's most respected and long-established hospitals.

A small group of individuals within the local CHPA apparently have taken advantage of these and other weaknesses to take over control of the association through a series of well-timed, calculated moves.

They quietly initiated tactics to weed out members who opposed them.

The vacated posts are now filled with more cooperative volunteers who have been placed in key positions within the group's power structure.

A July 10 inventory of local CHPA "volunteers" indicates the association is now—for all practical purposes—a closed corporation.

While state and federal guidelines encourage and urge the participation of any and all members of the public—from all social and economic levels of the community—in "voluntary" health planning activities, such is not the case in Orange County.

Here its rigidly controlled "membership committee" carefully screens each volunteer by requiring that he provide personal information on an application so that his qualifications may be evaluated.

Recently, new rules were drafted at an early morning meeting of this membership committee which was attended by only three of its eight members.

Also sitting in and actively participating was John Traband, local CHPA executive director, and two other salaried members of his staff.

Under the "new rules," if the membership committee decides an applicant is "worthy of consideration"—and there are no objections from staff—he will then be assigned, temporarily, to a committee of its choosing.

The applicant will then be required to attend at least two committee meetings as an observer after which, if he continues to ex-

So the bill was passed.
The Clerk announced the following pairs:

- Mr. Hébert with Mr. Arends.
- Mr. Ewins of Tennessee with Mr. King.
- Mr. O'Hara with Mr. Zwach.
- Mr. Burleson of Texas with Mr. Bray.
- Mr. Long of Louisiana with Mr. Berry.
- Mr. Caffery with Mr. Reifel.
- Mr. Passman with Mr. McCulloch.
- Mr. Rarick with Mr. Brock.
- Mr. Daddario with Mr. Mailliard.
- Mr. McCarthy with Mr. Clay.
- Mr. Fallon with Mr. McKneally.
- Mr. Tunney with Mr. Powell.
- Mr. O'Neal of Georgia with Mr. Dickenson.
- Mr. Alexander with Mr. Cramer.
- Mr. Hull with Mr. Pollock.
- Mr. Ryan with Mr. Dawson.
- Mr. Jones of Tennessee with Mr. Kleppe.
- Mr. Wright with Mr. Cunningham.
- Mr. Moorhead with Mr. Weicker.
- Mr. Nedzi with Mr. Roudebush.
- Mr. Rooney of New York with Mr. Bow.
- Mr. Anderson of Tennessee with Mr. Baring.
- Mr. McFall with Mr. Edwards of California.
- Mr. Rogers of Colorado with Mr. Edwards of Louisiana.
- Mrs. Sullivan with Mr. Symington.
- Mr. Rostenkowski with Mr. Flynt.

The result of the vote was announced as above recorded.

The doors were opened.
A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

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

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

There was no objection.

EXPLANATION OF VOTE

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

Mr. SCHMITZ. Mr. Speaker, my lone "no" vote on H.R. 18110 was not cast without experience in the "comprehensive health planning" field as the following article from the August 6 Orange County, Calif., Register attests, I submit it for consideration of those who still do not realize where the course we set in 1966 and are continuing today is leading us.

The article follows:

press interest, his name will be submitted to that committee which will determine whether he is "acceptable."

This, of course, will result in the applicant having to wait 60 or more days before he is informed whether his voluntary assistance is desired.

It is curious that nowhere in state or federal guidelines are there any provisions for a membership committee, the screening of applicants (except to determine if they are a consumer or provider of medical service), or a "waiting" period.

But the lack of such guideline provisions apparently means little to the local group which continues to operate undeterred under its own set of rules and procedures.

By the use of such methods the local CHPA has built a formidable wall around itself with an impressive collection of 45 key city and county officials that include 10 from the county health department, and a like number from the Orange County Medical Center (OCMC).

However, this is only the beginning.

It also has two members from the 1970 grand jury panel, the UCI faculty, and 25 individuals—several serving in dual health roles as taxpayer expense—involved in county mental health activities; plus another group of 25 engaged in nursing and tax-supported school programs.

And it doesn't end here.

Coupled with these—in most instances—interrelated groups, are nearly two dozen other individuals from a wide variety of county and community health, poverty, dread disease, charity and similar type organizations supported with public funds, and which have close ties and connections with other CHPA "volunteers."

These, then, are among the "representatives of the public."

Grand jury members include its foreman, George Honold, former mayor of Garden Grove, and Mrs. Harriet Bemus, who is active in the League of Women Voters.

Honold, now listed as "retired," is on the CHPA board of directors and environmental health subcommittee, while Mrs. Bemus serves on the CHPA personal health subcommittee.

The grand jury recently just happened to conclude "an intensive study" of the OCMC master building plan, and "looked into the relationship" between the county hospital and the UCI School of Medicine.

In a resolution supplied to local news media, the grand jury "urged" county supervisors to approve present plans to upgrade OCMC facilities, and they also urged supervisors to "actively support the establishment of another medical facility on the UCI campus."

The resolution made no mention of the overwhelming defeat by the voters only last June of Proposition 1, a \$243 million bond proposal to establish additional medical training facilities and hospitals at various California universities, including Irvine.

POLITICAL BROADCASTING

Mr. MACDONALD of Massachusetts. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 18434) to revise the provisions of the Communications Act of 1934 which relate to the political broadcasting.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 18434, with Mr. STRATTON in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Under the rule, the gentleman from Massachusetts (Mr. MACDONALD) will be recognized for 1 hour and the gentleman from Illinois (Mr. SPRINGER) will be recognized for 1 hour. The Chair recognizes the gentleman from Massachusetts.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I yield myself such time as I may need.

Mr. Chairman, enactment of the bill before the House would achieve two significant and very worthwhile reforms.

First, it would materially reduce the cost of campaigning for major elective office;

Second, it would impose a reasonable limit on the amount that candidates could spend for use of broadcast time in their campaigns, including both radio and TV.

Mr. Chairman, the cost of campaigning for elective public office is skyrocketing. This, I am sure is no news to Members of this House. But let me outline for you some of the statistics that developed from hearings on political broadcasting held by the Subcommittee on Communications and Power in June of this year.

Between 1952 and 1968, expenditures for political campaign purposes have increased 100 percent. From 1964 to 1968, these expenditures increased by 50 percent.

This increase can also be shown in terms of the cost per vote cast for major candidates for President. In 1952, this cost was about 19 cents per vote and it had held at about that amount since 1912. But by 1964 the figure had jumped to 41 cents per vote. In 1968, it was up again to 56 cents per vote; 67 cents per vote if expenditures on behalf of Governor George Wallace are counted.

Mr. Chairman, as the Members of the House recognize, these startling increases in campaign expenditures took place over the same period in which broadcasting, and particularly television, was developing into perhaps the single most significant factor—in terms of both cost and effectiveness—in campaigns for major elective office.

From 1964 to 1968, expenditures for the use of broadcast time have increased from \$34.6 million to \$58.9 million. An increase of 70 percent in a period when overall campaign expenditures increased by only 50 percent.

And I should like to point out, Mr. Chairman, that these expenditures I have just cited cover only the purchase of broadcast time. They do not cover production costs, staff, and other costs necessarily arising from the use of the broadcast time.

Mr. Chairman, some recent elections bring all of these statistics into focus. We have all seen the effectiveness of the television blitz in a political campaign and know the vast sums of money which are necessary to carry it out. This is not a partisan matter. There are glaring examples in both parties. To allow this to continue is tantamount to saying at worst, that we condone the purchase of public offices. At best, that we are content

to see contenders for major public offices limited to persons with access to vast sums of money.

This should not be; and that is what the legislation before the House is all about.

This is not partisan legislation. It was developed in the Subcommittee on Communications and Power and was introduced by myself and every member of that subcommittee, on both sides of the aisle. It was reported by the full Interstate and Foreign Commerce Committee with bipartisan enthusiasm and support.

It is not designed to help either party or any particular group. What is designed to promote and protect is our democratic system of government.

Mr. Chairman, H.R. 18434 would—in essence:

First, repeal the equal time—section 315(a)—provisions of the Communications Act with respect to candidates for the office of President and Vice President, only to those offices.

Second, reduce the rate which broadcast stations may charge candidates for public office for the use of broadcast time.

Third, establish reasonable limits on the amounts which may be spent for broadcast time by major candidates in primary and general elections, and

Fourth, permit the States to place candidates for State and local office under the provisions of the legislation.

SENATE BILL

The bill the House is considering differs in several respects from a similar bill passed by the other body—S. 3637—as they relate to limitations on expenditures for the purchase of broadcast time.

Their bill:

First, does not apply to primary elections,

Second, does not apply to candidates for the office of Governor and Lieutenant Governor,

Third, does not have clear cut provisions for enforcement,

Fourth, does not give States the option of covering other State and local offices under the legislation by State law, and

Fifth, would take effect 30 days after the date of enactment.

REPEAL OF EQUAL OPPORTUNITIES PROVISIONS FOR PRESIDENTIAL ELECTIONS

As I have already indicated, Mr. Chairman, section 1(a) of H.R. 18434, would repeal the equal opportunities provisions of the Communications Act with respect to candidates for the office of President and Vice President in a general election. This will permit the networks to donate substantial periods of broadcast time to major and significant candidates for President or Vice President without the necessity of according equal treatment to the candidates of minor parties.

In 1960, the only presidential campaign for which the equal time provisions were ever suspended, the television networks donated the time for the "great debates" between John Kennedy and Richard Nixon. In that campaign the three television networks donated over 39 hours of broadcast time to candidates for public office. Time worth literally millions of dollars. In contrast less than 7½ hours was donated by those networks for both the 1964 and 1968 election campaigns

when the equal opportunities provisions were in effect.

LOWEST UNIT CHARGE FOR CANDIDATES FOR PUBLIC OFFICE

Section 1(b) of the bill provides that no broadcasting station can charge a candidate for public office more than the station's lowest unit rate for the use of broadcast time. This replaces the standard now in the law which is that a station's rates to a candidate "shall not exceed the charges made for comparable use of such station. This was translated in most instances to the highest commercial rate. Although, in fairness, Mr. Chairman, I must observe that some enlightened broadcasters are giving candidates for public office broadcast rates in line with those provided in the bill.

As Members of the House know broadcast time is expensive. In Boston, for instance, a 30-second prime-time spot announcement can cost as much as \$1,600. The same announcement in New York City would cost about \$6,000.

This provision should reduce the cost of broadcast time to candidates for public office between 25 and 40 percent. In doing so it accords the candidate for public office the same rate as the broadcast station's most favored commercial advertiser. Control of cost remains firmly in the hand of the broadcaster. Nor does the legislation do anything to revise existing practices under which the candidate must seek out the broadcaster and pay in advance for the use of broadcast time. Things that commercial advertisers are rarely ever required to do.

Mr. Chairman, broadcasters receive exclusive right to use a portion of the airwaves in return for their agreement to serve the public interest. This right is very valuable and in some instances it is worth millions of dollars. I am confident that most, if not all broadcasters, will see that these provisions serve the public interest and will cooperate in their implementation.

However, should any broadcaster violate this act, he would be subject to a fine of up to \$10,000, or imprisonment of up to 1 year, or both, under section 501 of the Communications Act.

LIMITATIONS ON EXPENDITURES FOR BROADCAST TIME

If the bill did nothing more than reduce broadcast rates for candidates for public office as the original bill did nothing would have been accomplished in terms of public interest. The savings thus achieved would be channeled into the purchase of more broadcast time. Therefore, the committee adopted limitations on the amounts that can be spent for broadcast time by candidates for major political offices. The bill applies to both primary and general elections. The committee concluded that covering only general elections would accomplish little, and would ignore several recent examples of the political television blitz. It would also ignore the fact that in some instances the real election to public office actually occurs in the primary election.

For the purchase of broadcast time for a general election, candidates for President and Vice President, U.S. Senator,

U.S. Representative, and governor and lieutenant governor could spend an amount equal to 7 cents times the number of votes cast for that office in the last general election or, if greater, \$20,000. This would mean that candidates for President and Vice President will be able to spend about \$5.1 million dollars for broadcast time in the 1972 presidential election.

For a primary election candidates could spend up to one-half the amount they could spend for a general election. However, the bill would not apply to presidential and vice presidential aspirants in primary elections since those elections do not amount to the nomination.

Mr. Chairman, at this point I would like to say a word about the inclusion of candidates for Governor and Lieutenant Governor in the legislation. This is a matter on which the committee spent some time. In anyone's terms these are major public offices and candidates for them use as much broadcast time for campaigning as candidates for any other public office other than President. This legislation is based on the Federal power to regulate interstate commerce, in this case broadcasting. By section 1(b) of the bill, we reduced the rates which broadcast stations may charge candidates for Governor and Lieutenant Governor. Therefore, the committee felt that those candidates should also be subject to the same limitation on expenditures for broadcast time as those applicable to candidates for Federal elective office.

This, of course, leaves uncovered offices which in some States might be almost as significant as the office of Lieutenant Governor. In one State it might be the auditor, in another the attorney general. And certainly the mayoralty election in such cities as Boston, New York, Chicago, Cleveland, Detroit, Los Angeles and others are vitally important. The committee spent a good deal of time on working out this problem. The bill now provides that any State may bring other State and local offices within the provisions of this legislation as long as the limits on expenditures for broadcast time are not higher than those provided in the bill.

Before closing, Mr. Chairman, I would like to review for the Members of the House how this legislation would work in their case.

First, I think that in almost every instance they will be limited to \$10,000 for broadcast time for a primary election and \$20,000 for a general election, as will their opponents. Let me emphasize that this is only for broadcast time. It does not cover production costs, promotional ads in newspapers, or any other expenditures.

But it does cover all purchases of broadcast time by the candidate or on his behalf. The old committee ploy will not work here.

When the candidate wishes to purchase broadcast time for his campaign, he or someone specifically authorized by him in writing must certify that the payment of the charges for that time will not cause him to exceed his limit under the legislation. No committee or

other group may purchase time on behalf of the candidate without the station receiving such a certification from the candidate or his agent. If the candidate or his agent makes a false certification he, of course, would be subject to criminal penalties.

Mr. Chairman, today campaign costs and expenditures have reached crisis proportions. If our American political processes are not to be dominated by special moneyed interests there must be effective regulation and reduction of campaign expenditures. The bill before the House is a major step in that direction. I earnestly hope that it will be passed by the House.

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

Mr. MACDONALD of Massachusetts. I yield to the gentleman from Virginia.

Mr. SCOTT. Mr. Chairman, I wonder if the gentleman could tell me what consideration his subcommittee gave to the differences in congressional districts. I do not have in mind differences in population, but other considerations. In my own congressional district, for example, we have no television stations. Our principal television outlets are in the city of Washington which, of course, is heard not only by the people here in the Capital but also is heard in Maryland and in parts of Virginia which I do not represent, as you know, however, there are other congressional districts in cities, and a Member of the House who represents a city may be heard by everyone living within his district.

There seems to me to be a difference of congressional districts that is not recognized in this bill. I wonder if the gentleman would comment on this.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I am not sure that was a question, but I will be happy to explain to the gentleman that what we wanted to do in this bill is to make it equal for the candidates, and if what the gentleman says is his situation, that situation then also applies to the gentleman's opponent.

Mr. SCOTT. Let me clarify my question by saying I have never spent a penny on television in the two terms I have been elected to the Congress. I have no present plans to spend money on television this year. So it is not a personal question I am asking. However, I do see a material difference in the makeup of various congressional districts.

Mr. MACDONALD of Massachusetts. If the gentleman is asking me if I think that is a fact, of course, that is a fact.

Mr. SCOTT. But is the difference in the makeup of the districts considered in this bill?

Mr. MACDONALD of Massachusetts. Yes, it has been considered.

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

Mr. MACDONALD of Massachusetts. I yield to the gentleman from Illinois.

Mr. GRAY. Mr. Chairman, I just want to commend my distinguished friend, the gentleman from Massachusetts, for doing such an outstanding job on this legislation. Of course, it is not going to solve all the inequities of the cost of campaigning on radio, television, but I think it is a step in the right direction.

I would be happier if a ceiling could also be placed on newspaper advertising. I am not for doing financial harm to our radio and television stations but I believe this legislation will in the long run help them. It certainly will make time on radio and television more accessible to both parties and their respective candidates. In my last election campaign my opponent spent 10 times as much as I had to spend. If this legislation had been law he could not have spent so much money and would have been better off financially.

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

Mr. MACDONALD of Massachusetts. I yield to the gentleman from New York.

Mr. WOLFF. Mr. Chairman, I just want to try to answer the question posed by the gentleman from Virginia relative to his being in an area that did not have any television stations. Is it not the purpose of this bill to see to it that the candidate receives the lowest possible rate, which means that the candidate in this question would receive a local rate if the stations had local rates in addition to their regular national rate?

Mr. MACDONALD of Massachusetts. I would say that the purpose of this bill, so far as I am concerned—and I believe I speak for the subcommittee and the committee—is to do two things.

One is to prevent the purchase of seats here in the Congress, in the Senate, or in the governorships. It is to stem the tide of money talking in politics the way it has. People who have quite a bit of money to spend in the campaign emphasize the technique of the television blitz. Some people have been accused of buying elections. This bill is aimed at preventing that.

Second, this bill is aimed at stopping unequal treatment. If the gentleman has an awful lot of money, and I do not have very much—which probably is the case—

Mr. WOLFF. I assure the gentleman it is not.

Mr. MACDONALD of Massachusetts. We should not be running for the same office except under stringent rules. Let us have the people judge each candidate in the same way.

Therefore, if one wanted to characterize the bill, I would say this is a poor man's bill, to prevent people who want to serve the public from being overwhelmed by an avalanche of money. Let the people judge what the candidates stand for instead of how much money they have.

As I thought I said to the gentleman from Virginia, so long as the treatment of conditions surrounding the election is equal, I believe this bill is a good bill.

Mr. BROYHILL of North Carolina. Mr. Chairman, will the gentleman yield on that point?

Mr. MACDONALD of Massachusetts. I am delighted to yield to the gentleman from North Carolina, who has done a great job on this bill.

Mr. BROYHILL of North Carolina. On this point, in response to the gentleman from Virginia, the subcommittee did discuss this. We felt that it would be very difficult, highly difficult, to come up with

a sliding scale which would apply across the country. We felt the fairest thing would be to apply a dollar figure, so that each candidate would be treated fairly in that particular race.

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

Mr. MACDONALD of Massachusetts. I yield to the gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding.

I want to join my colleagues in complimenting the gentleman in the well, Mr. MACDONALD of Massachusetts, and the committee for a tremendous job of reviewing this whole field and improving in very substantial particulars the bill which came over from the other body on this same subject.

The work which the subcommittee put into this bill has certainly tightened up considerably the provisions that control the spending limitations, and it certainly has provided some enforcement mechanism that was very sadly lacking in the bill of the other body.

I agree with the gentleman that we have had some stations moving in the direction of getting away from discrimination against political advertisers, but I believe the gentleman correctly stated that there are still a number of places where the candidate is badly discriminated against with respect to the rates which he must pay.

I believe this bill takes a step which is long overdue. I commend the gentleman and his committee for what they have done on this particular provision.

In the bill there is a subsection on No. 5 which says:

For the purposes of this section, the term "broadcasting station" includes a community antenna television system, and the terms "licensee" and "station licensee" when used with respect to a community antenna television system, mean the operator of such system.

Mr. MACDONALD of Massachusetts. If I may interrupt the gentleman, I do not know to which section he refers, but certainly we included CATV.

Mr. EDMONDSON. It is on page 5 of the bill.

The point I want to make is that the broadcasting station is intended to include every kind of a broadcasting station, notwithstanding this language, is it not? It is supposed to include the radio stations and the television stations, whether we are talking about FM or AM, or whether we are talking about big broadcasting stations or small broadcasting stations. They are all supposed to be covered, notwithstanding this particular language with respect to community antenna television systems.

Mr. MACDONALD of Massachusetts. Yes. In the other sections of course, there is language about all broadcasters.

At the time there was some doubt as to whether CATV was just going to rebroadcast programs from other stations or originate programs of their own. I think it is clear now, since the FCC has spoken on this subject, that they will have to become regular broadcasters on their own.

Mr. EDMONDSON. The point I was going to make is that the bill is not limit-

ing broadcasting stations just to community antenna television stations.

Mr. MACDONALD of Massachusetts. On the contrary. We thought we were expanding it, and we did.

Mr. EDMONDSON. I think the gentleman's bill is a fine bill with the exception of one or two points which I am sure can be cleared up in conference. This is a bill, I believe, that should have the wholehearted support of everyone. The Committee for an Effective Congress, which has done a lot of work on this subject, regards it as one of the most important pieces of work in this Congress. I hope it will be possible to complete action on this bill in this session of Congress in the very near future.

Mr. MACDONALD of Massachusetts. I appreciate the gentleman's remarks.

I would like to point out that the bill that the Committee for an Effective Congress first presented to the House and to the Senate is a far cry from this bill. That bill merely went to cutting rates for all political candidates. I think this bill is a great improvement over that one. Although the committee certainly deserves commendation for being a catalyst.

Mr. EDMONDSON. If the gentleman will yield further, I think the Committee for an Effective Congress would agree with the gentleman. From what they have said to me, they think the gentleman has tremendously improved the bill, and they are very proud of the work he has done on it. I want to congratulate the gentleman again.

Mr. LENNON. Mr. Chairman, will the gentleman yield to me?

Mr. MACDONALD of Massachusetts. I am glad to yield to the gentleman.

Mr. LENNON. I understand the gentleman has made a very fine statement. I am reminded of the fact that in 1968 political spending was, for time only in the entire broadcasting system, \$59 million. In the hearings was the question raised, assuming that the same time is used in 1972, how much each average candidate will save or how much the total is of what will be saved? I am wondering if the same amount of time is consumed in 1972—and I am trying to get this for the RECORD—then how much will the industry lose under the impact of this bill. I am not a television or radio man.

Mr. MACDONALD of Massachusetts. That is a very good and solid question. The answer to that is the question of how much time any individual candidate for whatever office he is seeking may desire to put into television.

Mr. LENNON. The question I am asking is, assuming the same time is used in 1972 as in 1968, how much will the industry lose in dollars?

Mr. MACDONALD of Massachusetts. I do not think that the industry will lose anything, frankly, because if the candidates will have more money available for TV, then they will use it.

Mr. LENNON. It has not been limited before. Is not your expenditure limited here under this legislation for time spent on television or radio?

Mr. MACDONALD of Massachusetts. Yes. The limitation is \$20,000 or 7 cents per vote. I do not know how much you

use television—and I do not mean you individually, but any Member of the House—however, I know that \$20,000 out of my budget—and I may have a more limited budget than most—for television and radio is a pretty good hunk of what I spend in campaigning.

Mr. LENNON. What I want to get on the RECORD is, assuming the same time is consumed in 1972 as in 1968 in both radio and television broadcasting, how much will this legislation cost the industry for 1972, in round figures?

Mr. MACDONALD of Massachusetts. I cannot answer the question. No one in the House can answer that question. I cannot answer that because we did not have a count. I do not know how much the industry has made or every radio and broadcasting station in the country took in in political broadcasting. I have a feeling that they will increase their take.

Mr. LENNON. Do you think that there will be wider participation and therefore they will keep up the level as high as it was in 1968?

Mr. MACDONALD of Massachusetts. That is the intent of this legislation taken as a whole.

Mr. SPRINGER. Mr. Chairman, will the gentleman yield for an answer to that question?

Mr. MACDONALD of Massachusetts. I yield to the gentleman from Illinois.

Mr. SPRINGER. The lowest rate as compared with the highest rate is somewhere between 60 and 70 percent. So you can take \$59 million and take 60 percent or 70 percent of it. Although it is not the same for every State that is about what the lowest rate would be in comparison with the highest rate. So if you took 60 percent of roughly \$60 million you have got your answer, or if you took 70 percent you have the answer on \$59 million.

Mr. MACDONALD of Massachusetts. I thank the gentleman.

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

Mr. MACDONALD of Massachusetts. I yield to the gentleman from Texas.

Mr. ECKHARDT. It would seem to me it would be difficult to answer that question because it presumes that the TV station is selling time only to candidates when in fact in my area TV stations are not particularly interested in selling time to candidates because it tends to disturb their ordinary commercial time. So it seems to me the cost of any limitation either in amount of time or in price of advertising cannot be measured precisely. Many of the stations in my area would much prefer to sell less political advertising time because it disturbs their whole process of sales on programming time and on commercial advertising.

Mr. MACDONALD of Massachusetts. I agree with the gentleman.

The CHAIRMAN. The gentleman from Massachusetts has consumed 33 minutes.

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

The bill before us today treats two aspects of political broadcasting. The first is the application of the equal time provisions of the Communications Act

to the campaigns for the Presidency. In 1960, Congress suspended the application of this section as to that campaign and the results were the nationwide television debates. In 1964 and 1968 there was much discussion of again suspending the law. As might be expected, there were bitter political differences as to the desirability of any such action, enough so as to finally block it. So the elections in those 2 later years struggled along under the terms of section 315 as it is presently written, requiring equal time on the airwaves to any candidate for the Presidency. I do not think that anyone can claim that those elections were in any way impaired because of it.

As might be expected, the same proposal comes forth again as we look forward to an election year in 1972. The politicians all try to outguess each other as to the advantage or disadvantage to his party by suspending or not suspending section 315. The networks again clamor for a complete across-the-board repeal of the equal time provisions of the Communications Act, a proposition which would put every candidate down to dogcatcher at the mercy of the broadcasting industry. Personally I think the equal time provisions have been beneficial and worked reasonably well. If they have been something of a burden for broadcasters they have also been a real protection for the public.

The committee has brought forth a bill which will at least avoid the perennial argument. It does not suspend the operation of section 315 of the communications law for this election alone, instead it repeals it for all time as it relates to the Presidency. If it is desirable in some circumstances, depending upon whether your candidate is an "out" or an "in," then it is better to solve it permanently. Let everyone play by the same rules from here on. This will settle the matter on a permanent basis. On those grounds only I favor the proposal. I do think that it should be understood what we are doing.

The other major issue which is treated in this bill is political spending in the electronic media. All of the laws intended to curb political spending have seemed to accomplish little. Campaign spending has spiraled out of sight and the largest increase has been in radio and TV. This bill could do something about it. Our committee is not legally charged with a general overhaul of campaign practices. It has authority only with oversight and legislation dealing with communications. To this extent we have the most effective handle on the problem of mounting campaign costs and the overwhelming of a political opponent by drowning him in money. This bill would limit candidates for Federal offices and Governors to \$20,000 for radio and TV in a general election or 7 cents a vote based on the last election, whichever is higher. In the case of congressional candidates the \$20,000 will almost always be the limit while senatorial candidates will use the other measure. Based upon 1968 figures, a candidate for Senator or Governor could spend the following

amounts in the listed states. In New York and California, the figure would be nearly \$500,000. Ohio, Michigan, Illinois, and Pennsylvania vary from a quarter to one-third million dollars. There are six States in which the 7-cent formula would be below the \$20,000 minimum when applied to the entire State.

Only half of the amount allowed for a general election may be used in a primary with the exception of the Presidency.

Enforcement machinery is very simple. Broadcasters are required to obtain a certificate from the candidate that any attempt to buy time in his behalf will not exceed the maximum. This includes committees, individuals, or any other group which may come forward to provide air time for his campaign. If this turns out to be something of a burden for the station owner it could be considered as his contribution to clean elections. His further contribution will be in the form of the rate he must charge political candidates. The bill provides that such broadcasts will cost only as much as the lowest rate the station charges for comparable time for other purposes. This sounds simple but may be fairly complicated in practice since the present system of charging time is very complicated. There are a dozen methods under which a commercial advertiser might be charged for any given segment and charges vary greatly from area to area.

One reason the bill does not attempt to cover all political races is the variation in election laws among the States. Some States elect all of their State officeholders and some do not. For this reason only Governors were included. It will be possible for States to take advantage of this new scheme by legislative action on their own. If a State desires to use the limits set forth in this bill—or lower limits—on political broadcasting in its elections it may specify which offices will be included. When this is done, the broadcaster, wherever he may be, in or out of that State, must honor that limitation and obtain the required certificates. This provision makes the bill of maximum use to the States in solving whatever problems they may have in spending for political broadcasts. But what if a broadcaster pays no attention to the requirements of this bill? No penalty provisions are set forth, but present terms of the Communications Act make him liable for fines up to \$10,000 and imprisonment up to 1 year.

If forced to accept any and all requests for time and then accommodate all other candidates demanding equal time, the licensee might have nothing but commercials on the air for several weeks. This would violate all of the rules designed to prevent overcommercialization. It is my understanding that although the Federal Communications Commission looks with disfavor on a station policy which precludes paid political broadcasts it also recognizes that there are obligations to regular advertisers. This bill does not disturb the present law on this point. The licensee must use good sense in the presentation of paid com-

mercial material. He is not by law required to accept political broadcasting. If accepting spots would make him liable to accept those of 10 people running for the same office he might very well find it not in the best interests of his station or his listeners. Although I feel strongly that the equal time requirements are sound and should be retained, I also feel that licensees should not be in jeopardy for deciding not to accept political advertising for a particular office, except reasonable amounts.

This bill is hardly a cure-all for the many problems involving campaign practices and campaign spending. It is, however, the most practical piece of legislation thus far proposed to make progress in the right direction. For one thing, the electronic media is gaining more and more attention from candidates as the best means to reach the voter. No doubt it is. If, therefore, we can successfully curb the amounts which can thus be spent, it is bound to put some restraints on excessive overall campaign spending.

One issue which will become of importance once this bill is passed regards the effective date. The Senate bill would put the new limitations in effect at once. The House bill delays implementation until next year. I think we should be clear here and now that a serious attempt to force immediate effect will probably result in no legislation. It is entirely too late in the year and too near election time for the administrative details to be worked out before campaigns are underway. No doubt much of the available air time has already been contracted for. Licensees need to look forward to election time with full knowledge of these new limitations and requirements. The Federal Communications Commission must also make preparations to carry out its new responsibilities and this cannot be done in a few weeks. The provisions of the House bill in this regard make sense and should be upheld in conference between the two bodies.

With these observations and recommendations, I endorse the proposed legislation and recommend its passage.

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

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

Mr. EDMONDSON. Mr. Chairman, I do not want to get into a debate at this particular point on what the gentleman has been discussing, but at this point would the gentleman say the passage by the Senate of a bill this fall would be notice pretty much to the contracting parties on this point, that it was possible that legislation limiting them to the figure in this bill would apply to this year's campaign expenses?

Mr. SPRINGER. No; I would say as a lawyer it would not be legal notice on anyone.

Mr. EDMONDSON. The gentleman, of course, is well aware that contracts for all kinds of transactions have been voided by action of this Congress making it unlawful in the past, without any civil liability whatsoever.

Mr. SPRINGER. May I say under some circumstances that may be true,

but under most circumstances it is a violation to do that where a contract has already been executed in good faith and there has been an exchange, a quid pro quo, and the contract has already been entered into. It would be an ex post facto law.

Mr. EDMONDSON. Mr. Chairman, if the gentleman will yield further, if I had contracted to have a quantity of whisky delivered and it was made illegal to deliver it, would I be made liable?

Mr. SPRINGER. No, sir. That is an entirely separate proposition in my estimation. If the gentleman is talking about this, which, in my estimation, is a legal question, that would be all wrong. I would say it is perfectly all right as far as I am concerned, to enact it, because I do not have much television and I do not think I will have much trouble getting my contract executed when the time comes.

I think the committee felt this way about it in all fairness to those who may have already entered into contracts. We thought we ought not interfere with those contracts already entered into. But if this body decides to make this bill effective immediately, I will say in all good faith I will abide by it.

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

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

Mr. SCOTT. Mr. Chairman, I thank the gentleman for yielding.

May I say, pursuing further the inquiry I made earlier regarding television time, that I am advised there is a local rate for television stations where a businessman has only local customers. Would it be true for a Member of Congress where an individual represents only a portion of the listening audience, would the rate specified in this bill be the local rate applying to only the people from his congressional district?

Mr. SPRINGER. If the gentleman has a station that has that kind of rate, it would apply. Not very many television stations would make that kind of rate applicable. Nearly all of them have one single rate areawide, but if there is a rate applicable only to the area in which the gentleman's own district is located and there is a business rate for that area, he may have it.

Mr. SCOTT. If the gentleman will yield further, I hear television advertisements over the Washington stations for private businesses, such as automobile dealers, who I doubt draw any large number of customers from throughout the entire Washington metropolitan area. I wonder if they might be getting a local rate and if that is true, would the rate be applicable as far as the candidates within a congressional district?

Mr. SPRINGER. If there is a local rate, then it would be applicable to the candidates.

The CHAIRMAN. The gentleman from Illinois consumed 17 minutes.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I yield 3 minutes to the gentleman from California (Mr. VAN DEERLIN).

Mr. VAN DEERLIN. Mr. Chairman, this legislation is needed, and it is timely.

It comes at a juncture in our history when I perceive, and I think most Members do, that the American public is becoming quite cynical about this matter of campaign spending.

The question has been raised whether we as a nation are not pricing ourselves out of democracy. This legislation addresses itself to the most sensitive area of runaway campaign spending.

It came out of the subcommittee unanimously. Indeed, with one dissenting vote, it came out of the full Committee on Interstate and Foreign Commerce as a truly bipartisan measure. This is essentially a reform bill. Reform legislation can and should be bipartisan.

Some persons in the White House have not jumped with joy at the prospect of this legislation. It portends a really basic change in the matter of equal time provisions, leading to a fuller public discussion of campaign issues in the very next and in future presidential campaigns.

By the same token, as has been noted in the debate thus far, there are those on our side of the aisle who feel that they represent the poor man's party, who would have hoped that the legislation could take effect in time to protect Democrats for this year's campaign.

But the bill which we have come up with in our committee is much better in all respects than the measure which the other body sent to us some months ago. The delayed effective date seems a small price to pay for getting good, permanent, ongoing legislation that will truly reform the American elective process.

Yes, this is a good bill. It adds primaries to the general election provisions which were voted by the Senate. In many districts—not just in the Southern States of this Nation, but elsewhere—election success in a primary augurs success in November, almost automatically. To exempt primaries from the general provisions of limiting campaign expenditures for radio and television would fail to do the job. The other body, in this respect, did fail.

It was felt that statewide elections for Governor and Lieutenant Governor can be so comparable in importance, and in costs, to campaigns for Federal office that those offices should be included. They were not contained in the Senate bill.

Then, in order to meet prospective States' rights arguments, we in the House committee established the triggering mechanism for State legislatures. If they believe this law should be applied on a statewide basis to all offices, State and local, each State legislature can enact limitations which do not exceed the limitations that are set for Federal candidates and gubernatorial candidates. They may go lower; they may not set higher limits.

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

Mr. VAN DEERLIN. I yield to the gentleman from Maryland.

Mr. HOGAN. On this point about the triggering mechanism for State legislatures, I would hope there would also be a triggering mechanism for other House committees. One thing which troubles me about this legislation is that it has the effect of putting the broadcast in-

dustry at a distinct disadvantage. I understand that the committee presenting this bill does not have jurisdiction over other types of campaign expenditures, but the result is going to be that newspapers and direct mail and other means of reaching the voters are going to have an unfair advantage over broadcasting. To me, if we are going to be really fair and intend to get at the crux of the problem, the other committees with jurisdiction over the other aspects of campaigning should also respond to this problem and eliminate this inequity which we are on the verge of legislating today. Limitations should be placed on other media as well.

Mr. VAN DEERLIN. The gentleman's point is soundly taken. As he noted, broadcasting is the area in which our committee has jurisdiction. Broadcasting happens to be also the area in which the greatest inflation has been noted in campaign spending. Most observers agree it is the most effective form of campaigning. I think it was Harry Truman who said—and it was slightly indelicate—that newspaper advertising for politicians was—well, he decried it. He said in effect that it was not worth very much.

Mr. Chairman, the last point I wanted to make is, that this is an enforceable bill. A regulatory body of the Federal Government, the Federal Communications Commission, does have control over broadcasters through the licensing process. Responsibility for compliance will rest—as it does in Great Britain—with the candidate. Before a broadcaster may accept political advertising, he must be assured by the candidate, or by the candidate's authorized representative, that the advertising falls within that candidate's legal limitation. Penalties for violation would be levied against the candidate.

Mr. Chairman, passage of this bill today will breathe fresh air into our elective processes.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from North Carolina (Mr. BROYHILL).

Mr. BROYHILL of North Carolina. Mr. Chairman, this bill will do four things. The first, is to repeal the equal opportunities provisions in section 315 as it applies to presidential elections. Thus it would permit the networks and the broadcasters to give wider and greater coverage to presidential campaigns.

Second, the bill would establish reasonable limits on the amounts which can be spent by certain candidates for political office.

Third, the bill would provide a rule that the rate charged these local candidates would be the lowest prevailing rate.

Fourth, the bill would permit the States by law to place candidates for State and local office under the provisions of this act.

Mr. Chairman, I would like to discuss just for a moment the section which would repeal the equal opportunities provisions which are found in section 315 dealing with presidential elections.

Section 1 of this bill amends section 315 of the Communications Act. The Communications Act presently provides

that if a broadcast licensee permits any legally qualified candidate for public office to use his station, then he must by law—he must—afford equal time or equal opportunity for that candidate's opponent or for all other candidates for the same office to be able to use his station.

So this amendment would repeal that section as it applies to presidential elections only. As a result, it will permit wider use of the broadcast media by candidates for President and Vice President. As it was originally written, this section had the intent of providing equal time or equal opportunity for all candidates for President and Vice President. But what has happened is that it has acted as a restriction on any time given.

In the past, we have had elections with as many as a dozen candidates for President. These individuals were not on the ballot in every State, but there have been candidates for President far in excess of just the two major political parties. So, as section 315 is presently written, the broadcasters just do not want to give time to a candidate because then they would be required under section 315 to give time to many other candidates, perhaps as many as a dozen.

As the gentleman from Illinois has stated, section 315, as it applied to presidential elections, was suspended—not repealed but suspended—one time in the 1960 election.

Regardless of the way the Members may feel about how the 1968 election came out, I feel that the suspension worked well. I feel that there is sufficient public interest in the presidential elections that broadcasters should and will devote substantial time to the presidential election campaign and, of course, to the extent that the free time is given, campaign costs will be reduced to that extent. In 1960 our experience then was that the broadcasters gave over 82 hours of programming to the presidential campaign whereas in the last election when the suspension of section 315 was not in effect, only 26 hours were devoted to the presidential and vice presidential campaign. Much of this time, I might say, was in the exempt section; that is, much of the 26 hours were included in bona fide newscasts.

So in view of our experience in the 1960 election and in view of the benefits, the fact that the public is able to actually see the candidates and hear them, and listen to their views on the issues to a far greater extent than otherwise possible, I feel that this section should be repealed, not suspended but should be repealed.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPRINGER. Mr. Chairman, I yield 2 additional minutes to the gentleman from North Carolina.

Mr. BROYHILL of North Carolina. Mr. Chairman, I am confident that the broadcasters will apply good faith and that they will apply fairness in their programming, and we on the committee do not expect any abuse.

Mr. Chairman, I would add this point that with the passage of this legislation and the signing of it into law, that the committee does not intend and does not

expect that the networks or the broadcasters will necessarily dictate the format or the presentation of the candidates for President and Vice President. We had the so-called great debates of 1960, but other formats may be worked out and can be worked out with the cooperation of the candidates and the broadcasters.

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

Mr. BROYHILL of North Carolina. I will be glad to yield to the gentleman from Iowa.

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

When the gentleman mentioned rates a few moments ago, did the gentleman say the lowest rate or the local rate?

Mr. BROYHILL of North Carolina. The lowest rate.

Mr. GROSS. The lowest rate?

Mr. BROYHILL of North Carolina. That is correct.

Mr. GROSS. And that is without regard to the class of time in which the political broadcast might be made?

Mr. BROYHILL of North Carolina. The lowest rate in the time period.

Mr. GROSS. The lowest rate in the time period?

Mr. BROYHILL of North Carolina. That is correct.

Mr. GROSS. I thank the gentleman.

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

Mr. BROYHILL of North Carolina. I yield to the gentleman from Colorado.

Mr. BROTZMAN. Mr. Chairman, I thank the gentleman for yielding. I merely want to take this time first of all to recount that certainly when this bill came over from the Senate I was somewhat less than enthusiastic about it because I did not really think it was fair. But I believe that under the able leadership of the gentleman from Massachusetts (Mr. MACDONALD) and the gentleman in the well, the gentleman from North Carolina (Mr. BROYHILL), that we have greatly improved upon this so that it is in fact fair as it is supposed to be.

Number one, it is fair to the general public, and that is our first consideration. The people of this country have evidenced a strong desire to hear presidential debates. And so instead of having a political hassle every 4 years we have provided a method which repeals section 315(a) as it relates to candidates for President and Vice President so that the public will in fact have an opportunity to hear the debates.

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

Mr. SPRINGER. Mr. Chairman, I yield 2 additional minutes to the gentleman from North Carolina.

Mr. BROYHILL of North Carolina. In response to the statement of the gentleman from Colorado, I know he very well remembers what we went through in 1964 and went through in 1968 in attempts to repeal or suspend at that time section 315(a) applying to presidential elections.

Mr. BROTZMAN. The gentleman is correct.

Mr. BROYHILL of North Carolina. So, it is time now to go ahead and re-

peal it and not go through those tortuous acts every presidential year.

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

Mr. BROYHILL of North Carolina. I am delighted to yield to the gentleman.

Mr. BROTZMAN. I think the bill is fair to the general public in that we do not indulge in the luxury of only letting the wealthy of this country run for office.

Certainly this places a restriction on the amount of expenditures so that they all have a shot at it.

Finally, I think it is fair to those who are aspiring to public office.

First, it applies the same to your opponent as it does to you. I could not agree with anyone more than I do with the gentleman from Illinois (Mr. SPRINGER) when he said that it was absolutely essential that we make this bill applicable in January 1971 rather than in 1970 lest too many people would have breach of contract actions confronting them in a whole myriad of lawsuits.

I support this bill because in its present form I think it is fair.

I do congratulate the leadership we have had, and my colleagues on the subcommittee, and I urge the House to support it as written.

Mr. SPRINGER. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. HARVEY).

Mr. HARVEY. Mr. Chairman, shortly after the last election I was approached in my office by two representatives of the National Committee for an Effective Congress. I was somewhat surprised at the time, I will say, because that committee had not backed me in my election bid. For the most part, I can truthfully say that we did not share, at least, many of the same goals.

Nevertheless, their purpose in coming to me was because I served on the Subcommittee on Communications, and the goal they had in this particular instance was the goal of making more television time available at a lesser cost to candidates for Congress.

This was a goal that I felt was a very worthy goal, and a goal I felt I could not quarrel with, at the very least.

So at that time the gentleman from Michigan (Mr. ESCH) and I both introduced bills, similar bills, that were introduced by the gentleman from Massachusetts (Mr. MACDONALD) and several others on the committee, as suggested by the Committee for an Effective Congress.

In this bill, we have carried out that particular goal. We have added to it the additional goal of placing limits, which I happen to think the American people want, on the amount of money that can be spent with the broadcasting media by candidates for those particular offices which we are dealing with today.

I thought that the testimony presented by that Committee for an Effective Congress was some of the most powerful that we had before our committee, and I would just quote this one paragraph:

The realities of politics in 1970, the enormous cost an effective campaign entails, is no less than a national scandal. The non-partisan fact is that campaign costs are jeopardizing the democratic process. The Cam-

paign Broadcasting Reform bill is a major step towards ensuring that candidates compete on their merits, not with their pocket-books.

With those sentiments, I wholeheartedly agree.

We also have testimony before us, Mr. Chairman, that the broadcasters' charges between the years 1964 and 1968 had gone up by as much as 70 percent. I do not have to point out to the Members of this House that that is far in excess of what the general increase in campaign spending had been.

Needless to say, then, we felt there was need for the bill. It has been well discussed here this afternoon and I shall not go into any greater detail other than to make these comments:

First, as far as equal time is concerned and the repeal of section 315. If once again we had sought to suspend section 315 for this election rather than a complete repeal of the section, I would have rejected it. We have been up and down that road, both in 1964 and in 1968. I think it is fair to say that both parties were politically motivated by circumstances which were present at the time of each of those elections. They guided the parties in their actions at that particular time.

I think it is also reasonable, however, Mr. Chairman, that we now once and for all repeal section 315, and this is what we are doing as to the President and Vice President, and I support it without qualification.

I would point out in closing that I understand an amendment will be offered this afternoon by the gentleman from New York (Mr. BINGHAM). The amendment, as it has been submitted to me, will simply place an additional duty on the FCC to go ahead and finish the job that we have attempted in this particular committee, that is, to compile and to keep the records that are necessary in this particular instance. I would say, as one member of that subcommittee, I happen to think that this particular action is necessary, and I do intend to support the particular amendment when it comes up. It will provide for the filling of another loophole, it provides that no broadcaster may make any charge unless the candidate certifies that such charge will not violate the limitations in this act. Further, the broadcaster must notify the FCC, and the FCC certify that such charge will not violate the act. This type of enforcement, I believe, is necessary.

Mr. Chairman, I urge that the amendment and this legislation be enacted. It is a major step forward.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I yield 7 minutes to the gentleman from New York (Mr. OTTINGER).

Mr. OTTINGER. Mr. Chairman, I thank the chairman for yielding. I think I will be granted a certain amount of expertise on the subject of this legislation. As one who has had to raise very large amounts of money to run in one of the biggest States in the country, I share the feelings of outrage at the present system that have been expressed here today. I am pleased and proud to be a

cosponsor of this legislation and a member of the subcommittee which reported it out unanimously. I add my congratulations to the chairman for the excellent job that he did in perfecting this legislation.

Mr. Chairman, I have been sponsoring campaign reform bills since first coming to Congress. On February 18, 1965, I introduced House Joint Resolution 339, to provide tax incentives for political contributions and periodical reporting of contributions and expenditures. The bill was based on the legislative recommendations of President Kennedy's Commission on Campaign Costs and I stated then that—

These burdens must not force candidates for public office to depend either on large contributions from those with special interest, or in the alternative, on personal or family funds. Nor should these substantial costs bar qualified candidates from seeking public office simply because the aforementioned sources are not available to them, either by choice or circumstance.

On February 15, 1967, in the early days of the 90th Congress, I reintroduced the bill as House Joint Resolution 302.

On July 17, 1967, I introduced the Federal Elections Campaign Act of 1967 to provide Treasury assistance to defray campaign costs for all candidates for elective Federal office, and I reintroduced this bill as H.R. 10258 on April 17, 1969.

Furthermore Mr. Chairman, I sponsored legislation in 1968 to suspend the equal time requirements for the presidential campaign that year, and on September 10, 1969, I introduced H.R. 13721, to provide opportunities to congressional candidates to purchase specified broadcast time at drastically reduced rates.

The crucial question, Mr. Chairman, is the effect of the raising of these sums on the electoral process. For those not fortunate enough to have their own resources, or resources within their families, there is no choice but to go to those financiers and special interests who make it their business to contribute to political campaigns every 2 years where they think it will do the most good. The implications are obvious. If anybody in this Chamber thinks the American people are naive enough to believe campaign contributors do not receive favored treatment in congressional offices and from executive decisions, he is deluding himself. This practice with its potential for scandal and perversion of the public interest must be stopped. Dependence of elected officials on personal funds or special interest financing to obtain election has to be ended.

I want to make it quite clear that it is not an adequate answer to campaign finance inequities merely to limit the amount a candidate can spend. If we did that, we would guarantee the entrenchment of political machines in primaries and perpetual reelection of incumbents. The only way to challenge a machine or incumbent is by being able to communicate effectively one's record and one's stands on the issues and being able to show the inadequacies of one's opponent's qualifications. If such communications were excluded by a limitation of funds, such a challenge would be impossible.

I think this points out areas in which this legislation, while it is a good start, is nevertheless defective. Under the present legislation in the State of New York, a candidate would still be permitted and virtually have to raise at least \$420,000 for broadcast media. We have approximately 6 million people who voted in the last election, so at 7 cents per voter, it would come to \$420,000. So there is still no assurance of access to the media by a person without money. The amount of \$420,000 is still very substantial, and it would have to be raised.

Furthermore, the requirement that one could spend only half that amount in the primaries would mean to a very large extent that challenges to the political machines and challenges to the incumbents would be seriously impaired. I think we ought to consider today an amendment to do away with that distinction, because in a primary election the media will not offer a special rate to reach only the Democrats or only the Republicans. Primary candidates have to reach the entire electorate, just as in a general election. By allowing only half the sum of money we impair seriously the ability of a person to challenge in a primary.

To really make this system fair, I strongly believe what we have to do is to give free access to the media for all candidates to public office, and I intend at the appropriate time to introduce an amendment to that effect. An amendment to that effect was introduced in my behalf in the subcommittee by the chairman which gave consideration to it.

In point of fact, the important thing here is to protect the public interest and to assure that candidates, regardless of their funds, have an opportunity to present their views to the public. With today's astronomical costs for the media, with the cost for a 30-second spot in the New York area being as much as \$6,000, it is very important that in order to be able to permit our elective processes to work effectively, we allow adequate access to the media by all candidates and that we avoid the necessity for the candidate to have to raise or to have large sums of money in order to be able to communicate.

Our objective eventually, it seems to me, in the total field of campaign reform ought to be not just to effect free broadcast time but also free mailings, free newspaper advertising and the public financing of the other costs of campaigning, but then to prohibit any candidate or officeholder from taking a cent of outside money. Only in this way can we reasonably assure that officeholders no longer will have to be subject to financial pressures with respect to their campaigns.

I should like to say just a closing word about the effective date. I should be very happy to see the effective date apply to this election. In point of fact, with my own race, if all the broadcast stations would offer prime time at the lowest rate they sell to any advertiser, as provided in this legislation, and all the other candidates would agree to do it, I would be

perfectly happy to voluntarily abide by the provisions of this legislation in the forthcoming election, whether it passes or not, and regardless of its effective date.

I believe this is exceedingly important legislation. I believe it will have a salutary effect on part of the political process which has aroused deep public distrust.

This bill is an important step forward and deserves unanimous support. I urge its passage today so that its provisions may become effective, if not for this election, at least on January 1, 1971.

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

Mr. BROWN of Ohio. Mr. Chairman, I rise in support of this legislation. I believe the legislation is needed. It is in the interest of the American people to encourage fairer campaign practices. Although that is not specifically the obligation of our committee, we have brought here a bill which does serve to equalize the competition between political candidates on the electronic media by placing spending limits on the use of that medium comparable for comparable offices.

I will not go into all of the provisions of this legislation, because they have been adequately covered by previous speakers.

There is one problem which I believe will have to get some attention from the Federal Communications Commission for better definition when this bill becomes law than we have given it in this bill. That is the part on the top of page 2, where we provide for the amendment of section 315(b) limiting the charges by broadcast media to: "the lowest unit charge of the station for the same amount of time in the same time period."

This must be given careful consideration, as I said, so that it will be clear that the language means there should be no hardship on the individual stations, because the language is not designed to force stations to sell to a politician at a sacrifice rate. Rather, the bill provides that the rate should be no lower for political broadcast use than that charged for comparable contracts for other types of usage of the same amount of time at the same rate of frequency in the same time period on that same station.

It is particularly designed, Mr. Chairman, so that the candidate will not be charged any higher rate for the use of comparable time than a nonpolitical user of that time might be charged.

Let me also observe that I hope the States will take advantage of the provision in this legislation which will give them the opportunity to limit the spending for broadcast media by candidates for other State and local offices besides those limitations which are provided for in the legislation we have written here. There are several mayoralty or county sheriff or county commission offices, or even school board offices, which encompass larger constituencies than those encompassed by the average Congressional district in the United States, and which often involve the expenditure of larger amounts of money on the electronic media than is spent for congressional office. I personally would like to have seen this legislation include those offices, but

the committee in its wisdom chose not to do so. Rather, the committee chose to limit the requirement of this law to the congressional, senatorial, presidential, and gubernatorial offices.

These so-called lower offices, as we sometimes think of them, may be as important as or perhaps even more important than the Federal offices covered, because the local offices deal with local problems, and should be covered because they encompass the same concerns about the possibility of persons with massive amounts of money being able to go in and buy, in effect, the office by overwhelming the electorate through electronic media with mere money.

Repeal of section 315 for the presidential races for the future has been provided for in this legislation to allow not only the opportunity for debates but for comparable back-to-back speeches or equivalent and separate appearances or for any use of equal time on a fair and equal basis for the bona fide candidates of the major parties for President. This would serve the electorate so it might be better informed about the views and positions of the various candidates for this top office in our land. It seems to me that this is a commitment on the part of the committee and the subcommittee that this equal time provision will now be repealed indefinitely, not only for the race coming up in 1972 but for the races for the Presidency in the years ahead.

Mr. Chairman, I urge support of this legislation as it was passed by the subcommittee and approved by the full committee and recommend it to my colleagues.

Mr. VAN DEERLIN. Mr. Chairman, I yield 5 minutes to the gentleman from Rhode Island (Mr. TIERNAN).

Mr. TIERNAN. Thank you.

Mr. Chairman, I rise in support of this legislation.

The political broadcasting bill we have before us today is an innovative and effective piece of legislation which is sorely needed and long overdue. For years we have sought electoral reform. Now we have the vehicle to bring this reform about.

H.R. 18434, the political broadcasting bill, is designed to ease the increasing financial burden of running for public office. This would be accomplished by placing limits on broadcast spending and by reducing the rate of radio and TV station charges. Add to this the fact that the bill repeals the equal opportunities provision of the Communications Act with respect to presidential and vice-presidential candidates, and it becomes clear that this legislation can be a most effective reform tool.

In the last two decades Americans have witnessed an astronomical increase in campaign costs and spending. In the past 12 years total spending for elective office in the United States has more than quadrupled from \$9.9 million in 1956 to \$40.4 million in 1968. Many are now convinced that only the rich, or those sponsored by special interest groups, can hope to be elected. This is unfortunate. Only a bill as broad as this can begin to reverse this trend.

H.R. 18434 is designed to promote the widest and most enlightening airing possible of candidates' views and the issues in an election. This bill attempts to accomplish this while keeping campaign costs to a minimum. This bill restricts spending for general elections for the office of President and Vice President, and for both the general and primary for U.S. Senator, U.S. Representative, Governor and Lieutenant Governor. The limitation for general election would be \$0.07 per vote cast in the last election, or \$20,000 which ever is largest. The limit for primaries would be half that amount. It is quite clear that this spending limit will significantly decrease the amount being spent on broadcast campaigns.

The second major area of reform in this bill deals with facilitating free time for political candidates. H.R. 18434 repeals the equal opportunities provision of the Communications Act as it applies to candidates for President and Vice President. This undoubtedly makes it easier for the networks and other stations to provide the free broadcast time necessary for debates between major presidential candidates. Section 315 as it now stands does inhibit free and open discussion and debate by presidential candidates. The bill before us would remedy this situation.

We need this bill in order to show the people that we are serious about election reform. This bill is clearly in the public interest, for it attempts to bring about meaningful debate while minimizing costs. We must pass this bill if we hope to permit broadcasting to be used to best inform the American voter of the issues and candidates in any election at the lowest reasonable cost to the candidates and political parties. H.R. 18434 will help to enable a candidate to run for office without mortgaging himself.

Mr. Chairman, I urge my fellow colleagues to support this bill today for the good of America.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I yield 3 minutes to the gentleman from Texas (Mr. PICKLE).

Mr. PICKLE. Mr. Chairman, when the bill is being read and open for amendment I plan to offer an amendment which would correct the first page of the bill relating to the repeal of section 315(a), that is, the equal-time provision. The bill that is before you, H.R. 18434, repeals section 315(a). It says that the equal-time provision is not applicable any more to the Presidency and Vice Presidency. There are no guidelines or safeguards of restrictions about how this is to be handled. It is an outright repeal of section 315(a) for the President or Vice President. The amendment I am going to offer will read as follows, and I take this time so that the House might know of the pending amendment.

Except that the foregoing requirement shall not be construed to require a licensee to afford equal opportunities in the use of such broadcasting station to any legally qualified candidate for the office of President or Vice President in a general election unless such candidate has been qualified by applicable State law to appear on the ballots of at least two-thirds of the several States.

Mr. Chairman, the intent of my amendment is to extend the equal time provision to those candidates who are qualified under two-thirds of the States. Otherwise you are leaving it to a broadcast station so that they can take any number of people from one candidate or part of one or part of another or none at all, subject only to the fairness doctrine. Those of you who have had any experience with the fairness doctrine—and most of you have—know that that law is certainly open to wide discretion and interpretation. This amendment does not repeal section 315(a) for the two candidates, President and Vice President, but, rather, says that a broadcast station can extend equal time and opportunities to a presidential or vice presidential candidate if he is qualified in two-thirds of the States.

I think this is a safeguard and we do not have to require a station to determine on its own who is a legally qualified candidate. It is clearly spelled out in the law that he must be qualified by application of the laws of two-thirds of the States. This is not only a guideline, it is a direction and I think that it strengthens the bill. I hope that it will be favorably considered by both sides of the aisle and in the House.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SPRINGER. Mr. Chairman, I yield 1 additional minute to the gentleman from Texas for the purpose of asking him a question.

Mr. Chairman, I am not sure, but what the gentleman has said is that it would not be possible to extend the time to other candidates than those who are qualified in two-thirds of the States.

Mr. PICKLE. If they are not qualified in two-thirds of the States then they would not be required to extend this equal time.

Mr. SPRINGER. The gentleman is saying then that the broadcasting media could not give them any time if they were not qualified under two-thirds of the States?

Mr. PICKLE. That is correct. That is, they would not be required to give time.

Mr. SPRINGER. I think I know what the gentleman has in mind and I sympathize with him because I believe he is trying to get the major candidates up before the electorate and that is fair enough, and I can well understand his desire, but in the 1960 campaign I can so well remember that they did give consideration to the little fellows, they gave them a chance, they gave them a shot at it. In New York, although I am not in sympathy with some of them, they gave the Liberal Party 15 minutes one afternoon and another one half an hour, and they gave the Socialist Party in combination with the Prohibition Party, combined together, a half hour in the New York area. They did not give them any in Illinois. But I think that if we adopt the amendment in the form the gentleman has said he will offer it, that it would not be possible then for a real minority party to have any kind of a hearing before the electorate at all.

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

Mr. SPRINGER. I yield the gentleman from Texas 1 additional minute.

Mr. Chairman, I have yielded the gentleman this additional time because I want to be sure that I clarify his amendment. I know what the gentleman wants to do and I sympathize with his desire. I know the people want to listen to the major candidates.

Now in the last general election in 1968, if we had had this amendment, then the only three parties that could have been heard would have been the Democratic Party, the Republican Party, and whatever party George Wallace belonged in, whatever party that was. Those are the only three that could have been heard under this amendment.

Is that correct?

Mr. PICKLE. That is correct.

Mr. SPRINGER. Does the gentleman think that maybe that is a little too restrictive to put that on the networks and say that they cannot let another party participate?

Mr. PICKLE. If the gentleman will consider the way the language is changed in the bill. If you repeal it, for the presidential and vice presidential candidates, then a station, if it gives 30 minutes time to one candidate, must give 30 minutes time to the other candidate of the other party or any other party. Now in reverse, does the gentleman want—

Mr. SPRINGER. If the gentleman will yield further, please, it is my understanding that if we leave it in the form in which we prescribe it in this bill, then it leaves it to the discretion of the news media as to what time they shall allot to any party, or each party.

Mr. PICKLE. That is correct.

Mr. SPRINGER. Now I thought that in the 1960 election they used pretty good judgment because they made the two major parties appear face to face. I do not imagine in the 1972 election that it will be done in that way.

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

Mr. SPRINGER. I yield 1 additional minute to the gentleman from Texas.

Mr. SPRINGER. If the gentleman will yield further, as I stated, I do not imagine that in the 1972 election that it would be face to face, it might be, but it could very well be separate, but I do not believe that the news media would not give the two parties equal time.

Mr. PICKLE. Can the gentleman not imagine the complaints that are going to be heard when the networks or a local station will give 30 minutes time to the two major candidates and then give 5 minutes time to a minority candidate, or some of the others that are not qualified?

Mr. SPRINGER. What they would do is to give them some time commensurate with their size. I thought that in the 1960 election it was pretty well handled. But if we adopt the amendment suggested by the gentleman from Texas then I think we are saying that only the major parties could be heard, and we have nothing that can be done for the minor parties.

Mr. PICKLE. I do define the major parties as those qualified in two-thirds of the States, and that is the intent, and

that is the limitation and the full discretion for the broadcasting station.

Mr. SPRINGER. I understand the gentleman's amendment.

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

Mr. MACDONALD of Massachusetts. Mr. Chairman, I yield 3 minutes to the gentleman from New York (Mr. PIKE).

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

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

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

Mr. VANIK. Mr. Chairman, I rise in support of the bill before the House today which seeks to regulate the increasingly expensive and vital area of political advertising on the Nation's airwaves.

On October 23, 1969, I testified before the Senate Commerce Committee's Subcommittee on Communications on the Campaign Broadcast Reform Act of 1969. Since then the other body has considered this legislation and passed a bill similar to the one before us. I am pleased that so many of the recommendations made by myself and others regarding this legislation have been adopted. The bill before us today makes a series of much-needed reforms and improvements in the area of political advertising.

In the last two decades, the cost of political campaigns has skyrocketed fantastically. The major cause of the increasing cost of running for public office is the cost of radio and television time. For example, a prime time 30-second ad on a New York City television station costs approximately \$6,000. The situation is nearly as bad in many of the Nation's other metropolitan areas.

If we are to allow everyone a chance to enter the political arena—and I think we must—we must put limits on the cost and usage of the communications media by candidates for major public offices.

This bill, H.R. 18434, does that through four major provisions. First, it repeals the equal opportunities provisions of the Communications Act of 1934 in the case of candidates running for President and Vice President. This will permit the broadcast networks to donate free broadcast time for the presentation of debates and statements of the major candidates. The suspension of this "equal time" clause in 1960 permitted the "great debates" between the late President Kennedy and our current President, Mr. Nixon. The failure to provide for suspension of "equal time" in other years has prevented the public from seeing and hearing such debates because the networks and stations simply cannot give equal time to the score or more "fringe candidates" running for the office of President.

Second, this bill provides that broadcast stations may not charge any person who is a legally qualified candidate for office more than the lowest unit charge of that station for the same amount of time during the same time period. Hopefully, this will reduce some of the cost of advertising and cost of making public positions known to the electorate. It is entirely fitting that broadcast stations,

which have been given one of the rarest and most valuable parts of the public domain that we have—a frequency on the broadcast spectrum—be required to assist in the most important part of our civic activities, the election of public officials. This requirement will do no more than require that the broadcast station place the candidate for public office on the same level with the station's most favored commercial advertiser. It should be noted that this provision does not prevent stations from offering air time at a rate below that they charge their commercial accounts. There are a number of stations in the Cleveland area which make such offers and they are to be highly commended. Position statements and debate by candidates for public office on the airwaves must be constantly encouraged.

Third, and most important, the bill sets limits on what may be spent by candidates for President and Vice President for general elections and what may be spent on primary and general elections by candidates for U.S. Senator, U.S. Representative, State Governor and Lieutenant Governor. Generally speaking, a candidate would be enabled to spend up to 7 cents times the number of votes cast in the last election for the office in question or \$20,000—whichever is greater. Congressional and gubernatorial candidates would be limited to half this figure in primary elections.

Finally, today's bill permits the States to place candidates for State and local office under the provisions of this Federal legislation.

Mr. Chairman, it should be obvious to all that this legislation is needed if we are to maintain the freely accessible democracy which our Founding Fathers envisioned. I hope this bill is adopted.

Mr. PIKE. Mr. Chairman, I want to express my appreciation to the chairman of the committee for yielding me this time. I wanted this time because this is legislation which I feel very, very strongly about. I think this is terribly important legislation for the future of our democracy and I commend this subcommittee and this committee for having reported it out.

This legislation is important because a lot of people in our country see our democracy as sick—and I am not only talking about the dropouts, I am talking about good public servants who are in office today and who are contemplating getting out because they are confronted with what the chairman referred to earlier as the television "blitz," and they simply cannot contend with this kind of expenditure of funds.

The gentleman from Massachusetts referred to it very frankly and candidly and properly as essentially a purchase of seats. When we can purchase seats in the House of Representatives and when we can purchase seats in the U.S. Senate, then indeed our democracy is sick—and it is high time we did something about it.

I am delighted that this legislation cuts out the loopholes which are in so many of our State laws and in the Federal law about committees. You have "The Democratic Committee for the

Election of X." Then you have "The Independent Committee for the Election of X." Then again you have the "Independent and Democratic Committee for the Election of X." When you get through, there are nothing but loopholes left and the whole law has been a pure unadulterated fraud.

You have made this legislation apply not only to expenditure by the candidate, but the expenditure "on behalf of"—and I notice you italicize that in the report—of the candidate. It is enforceable and it can be meaningful.

The question is—Is it going to be enforced? We have legislation not dissimilar to this in the State of New York and it has not been enforced. We have all kinds of legislation on the books in regard to this subject matter which has not been enforced.

This legislation does not have everything in it that I would have liked to see in it. I wish it had covered this year's election. It does not cover the terrible problem of what you do when news broadcasts ought to be booked as commercial time. I do not blame the committee for not tackling that because that is probably as tricky a subject matter as there is on earth.

I simply wanted to take this time to say that I support this legislation with all my heart and soul. I commend the committee and I support this legislation so thoroughly because I have seen an increasing situation in our Nation where we are no longer a government of, by and for the people, but a government of, by, and for millionaires. I can think of no greater peril to our democracy.

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

Mr. SPRINGER. Mr. Chairman, I yield 1 minute to the gentleman, if he will yield.

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

Mr. SPRINGER. I just want to explain one thing. When this matter of news coverage came up, there was nothing this committee went into more thoroughly. I can remember, the gentleman from California (Mr. Moss) was the author of legislation and we had that before the committee three different times and in three different forms.

Finally, we drew that language I think as tight as it could be drawn. Mr. HARRIS was chairman of the committee at that time. We went into it, I think, as thoroughly as anything in the 20 years I have been on this committee to try to draw this news coverage as tight as we could and still not restrict the coverage of news.

I do want to explain that. We did not tackle it because we believe the committee has done the very best job it could, and may I say that if the gentleman or anyone else has a better way of saying it than we have, we would be willing to listen.

Mr. PIKE. I will simply say to the gentleman, believe me, I did not take the well to throw rocks at what you have done. I do not blame you for not coming up with such legislation because I would not know how to word the legislation. I think we all recognize, however, that

there is a very real problem. It works in both directions, for and against both political parties, in connection with news broadcasts which are essentially commercials for one candidate or the other. It is awfully easy for me, I know, to say that we recognize the problem. I do not blame you for not trying to include it in this legislation.

I said that in my initial remarks. I do not know what we can do about it except to continually call the attention of the public to the fact that the problem does exist and that they have got to listen to their news broadcasts as carefully as they listen to everything else.

I am taking this time only to commend the committee for having done an outstanding job and to urge passage of the legislation.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I yield myself 1 minute for the purpose of pointing out to the gentleman from New York that the question he raises is obviously true. The issue was thoroughly covered, as was indicated by the gentleman from Illinois (Mr. SPRINGER) in a different bill. I think it would only muddy the waters to get into that aspect of news coverage. This is not a bill dealing with news coverage. This is a bill that is overdue to prevent the buying of seats and to keep the Congress, the Members of the Senate, the Governor and Lieutenant Governor seats unpurchased, and I would like to point out that we should not get into side issues, in my judgment.

I yield 1 minute to the gentleman from Pennsylvania (Mr. DENT).

Mr. DENT. Mr. Chairman, I do not need much time to say what I wish to say. First, I want to compliment the committee.

Second, I want to call your attention to another type of campaign spending that is hard to find, but it is there. I do not know what your districts are like, but in my district there is no television coverage except from neighboring districts, and since there are so many neighboring districts, we cannot use any of them because of the problems that would arise. The cost would be prohibitive.

But our greatest cost is in connection with the so-called "election day workers." You do not have to list such expenditures if you pay them no more than \$10, and you might pay them five or six \$10 checks. The greatest expenditure in our area is the money that is paid out to so-called election day workers, poll watchers, and haulers into the polling places.

I ran for U.S. Senator and for Congress at the same time, which is a foolhardy thing to do. I did win the House seat rather handily. I came about 2 1/4 percent of winning the U.S. Senate nomination in Pennsylvania. My total expenditures for the entire campaign, including some \$4,000 for television, and about \$3,800 for billboards, the rest going to ward leaders, for want of a better word, the entire expenditure was \$67,000.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I yield 1 minute to the gentleman from New York (Mr. BINGHAM)

Mr. BINGHAM. Mr. Chairman, I join in commending the chairman and members of the committee for the magnificent job they have done here. The problem before us is a terribly urgent one, as was stated so eloquently by my colleague the gentleman from New York (Mr. PIKE). The problem cries out for solution. Our democracy needs the protection provided in this bill. The laws and regulations we have had in the past have been aimed at candidates and committees and they have not worked. What is good and right about this bill is that it aims at that part of the problem that is manageable, where the amounts of spending are measurable, and gets at the question of enforcement through the TV and radio stations themselves.

I do have an amendment to propose later on. I appreciate the remarks made about my proposal by the gentleman from Michigan (Mr. HARVEY). I think my amendment would carry the committee's basic approach one step further and make this a better bill, but I want to make it clear that this is a good bill whether or not my amendment is adopted.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I yield 2 minutes to the gentleman from Connecticut (Mr. MONAGAN).

Mr. MONAGAN. Mr. Chairman, I support H.R. 18434, a bill to put a limit on spending for political broadcasting, and to suspend the equal time provisions of the Communications Act of 1934.

Political spending for broadcasting in the United States has reached the point where it poses a serious threat to the functioning of our democratic form of government. Each election campaign succeeds in establishing a new alltime high in television and radio costs, and the phenomenon of the airwaves is threatening to out-strip the phenomenon of democracy. If recent trends in campaign spending continue, political democracy will soon become synonymous with merchandising a commodity. In this unfortunate confusion of priorities and goals, admen and makeup artists replace informed and concerned students of government, dollars replace issues, and there is a danger that demagogery could replace enlightened democracy.

Unlimited access to prime TV and radio time to sell the packaged candidate is fast becoming the electronic substitute for the "captive vote," and new regulations are required to protect the voters' capacity to decide between conflicting candidates and issues. Even more important, new spending controls must be enacted to guarantee the availability of a forum for all political candidates and that those qualified by experience and expertise, as well as wealth, shall have an opportunity to present their views to the electorate.

Under the terms of the bill under consideration, reasonable limits will be set on the amounts which may be spent for broadcast time by candidates for President and Vice President for general elections and by other candidates for major elective offices; a new reduced-rate criterion is set for determining the cost of

broadcast time; and the equal time provisions of the Communications Act are repealed to allow broadcast stations to make more free time available to legally qualified political candidates.

This is a good bill and I urge my colleagues to join me in voting for passage.

While the House presses for this long overdue spending reform, it is an appropriate time to reemphasize another area in need of regulation—the length of our presidential campaigns. Since I was first elected in 1958 my objective has been to shorten our presidential campaigns. Specifically I have introduced legislation in every Congress since 1960 to limit these contests to 60 days. In light of the clear connection between campaign spending and length, I am today reintroducing this legislation in the hope that the House will further reform our election procedures in this regard.

Spending and campaign length have historically grown in conjunction with each other. In 1860 Abraham Lincoln won the Presidency with minimal campaigning. The two major parties together spent a grand total of \$160,000. One century later, in 1960, John Kennedy traveled 40,000 miles to deliver 360 speeches. The two major parties spent an approximate total of \$20 million to get their presidential candidates elected. These figures have, of course, risen higher in the last 10 years.

At one point in our history presidential candidates did no campaigning whatsoever lest they be considered undignified. Today we must witness the sorry spectacle of exhausted candidates limping through tired catch phrases after several months of verbiage. As the long run for the Presidency draws to a close, candidates are often pressed into positions unrepresentative of their real thinking. Such statements are not at all conducive to public enlightenment, the objective of any campaign. Can one expect more from candidates who have run on the party ticket for many months, not to mention the hotly contested primaries that most Presidential candidates endure.

In the last decade security has provided further cause for concern. The alarming level of violence and increased potential of assassination supply one more dramatic and compelling argument against the lengthy, unnecessary exposure of our candidates.

Besides the actual physical effect on our candidates, lengthy campaigns bore the electorate. What begins as a sober discussion of national problems degenerates into repetitious phraseology. The voters quickly reach their saturation point. In our age of mass media, candidates can sufficiently convey their message in a concentrated month or two. Efforts after that point bring diminishing returns. No one should expect or desire our voters or any others to concentrate on candidates or issues for 4 months. The fault lies not in the electorate or in the candidates but in a system which allows a campaign to reach the point where it deadens our senses. I am convinced that excessive exposure soon leads to boredom and disinterest on the part of the electorate and thus frus-

trates the main objectives of the whole electoral system—discussion of the issues with the people.

My efforts up to now have not been successful in this field. Unfortunately, the strength of the opposition to long presidential campaigns dissipates rapidly after each election. However, by our actions today we give recognition to the fact that people are opposed to excessive election spending. Television costs have created the necessity for regulation of media spending; it has also made lengthy campaigns obsolete. While the House takes appropriate action to limit the amount that candidates may spend on television advertising, it should consider a prime cause of large expenses—the marathon presidential campaign.

Sixty days is clearly long enough. There is no magic in this number. It is simply a reasonable and adequate limit. Almost all democratic countries in the world select their governments within this limit, with no adverse effects. This is true in England, Canada, and Israel, among others. There is no reason why America cannot exercise the same commonsense. The short presidential campaign makes sense physically, financially, and psychologically.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I yield myself 2 minutes.

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

Mr. MACDONALD of Massachusetts. I yield to the gentleman from Ohio.

Mr. VANIK. Mr. Chairman, I extend to the gentleman from Massachusetts my appreciation for what he and the committee have done on this legislation, but the question arises in my mind as to whether or not the committee considered the possibility of insuring that political advertising on television would have the mark of advertising rather than be passed off at times as news. I have been taken in by a political ad which had the appearance on television of a news account, particularly when such advertisements immediately followed the regular news broadcasts by a broadcaster. Would the chairman advise me as to whether or not this legislation makes any effort to meet that problem?

Mr. MACDONALD of Massachusetts. Mr. Chairman, of course, that could be a great problem. We took it up in great depth. As the gentleman recalls very well, some years ago I was not a total victim, but I was subjected to this sort of thing on some news programs. As I indicated to the gentleman earlier, this great Committee on Interstate and Foreign Commerce went into this subject in great detail on a number of occasions, and I think that bill has been successful.

I can assure the gentleman that the FCC, which has jurisdiction over this sort of practice within the industry, is well aware of our committee's interest in seeing to it that there is no straying away from the path of righteousness in having news be news. As far as advertising following a news broadcast is concerned, I do not know how that can be stopped.

I can assure the gentleman that we are aware of the problem. I am sure the FCC

is. We will stay on the back of the FCC about this.

Mr. VANIK. I thank the gentleman.

Mr. SPRINGER. Mr. Chairman, I yield myself 2 minutes in order to clarify this.

I do not want any doubt on this whole question about news broadcast. I am going to yield to the gentleman from California, who was the author of this provision in 1958.

We went up the hill and down, like Napoleon's army, for almost 2 months, until we finally got the language out. That was hammered out like metal on an anvil.

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

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

Mr. MOSS. I want to concur completely in the statements made by the gentleman. I believe in retrospect it has worked quite successfully.

So far as labeling advertising as advertising is concerned, it is, to my knowledge, already required.

The reporting on regularly scheduled news programs is what we exempted. I know of very few instances where there has been a violation of that. Whenever it has been called to the attention of the FCC it is my opinion, at least, from the best information I have, that they have acted promptly to alert the licensee to the violation incurred under such circumstances.

Mr. SPRINGER. May I say to the distinguished gentleman from Ohio further that if the licensee observes the language which we put in there can be no misunderstanding about what is news and what is not news.

I want to clarify this. There is no misunderstanding about that. That is why we do not cover it in this bill. We have a good law that has worked for 12 years. We have had almost no objection from anybody.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I have no further requests for time.

Mr. SPRINGER. Mr. Chairman, I yield 2 minutes to the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. MONTGOMERY. I thank the gentleman for yielding. I should like to ask the gentleman from Illinois a question which has me concerned about this piece of legislation.

As I read the bill, it will regulate radio stations and television stations but not other media. It seems to me it discriminates against the radio stations and the television stations. I also am concerned that we are adding more regulations to privately owned radio and television stations.

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

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

Mr. SPRINGER. I will give the reason. As I said in my remarks—and the gentleman may not have been here at the time—the committee has very limited jurisdiction. Our jurisdiction is limited only to communications. Therefore, the only two media we can cover by our bill, to make the corrections we believe ought

to be made with reference to elections, are television and radio.

We have no jurisdiction with reference to outdoor advertising or newspaper advertising. Part of this I understand comes under the Committee on the Judiciary and another part under the Committee on House Administration.

That is the reason why we did not attempt to go beyond what we felt was legally the scope of our committee.

Mr. MONTGOMERY. Does the gentleman believe it is quite fair to allow these other media of advertising not to be controlled, yet to control two media of advertising so far as political candidates are concerned?

Mr. SPRINGER. I believe we are trying to set an example for all the rest of the media. I believe that is the best answer I can give.

Mr. MONTGOMERY. That is a pretty good answer. Does the gentleman believe the other committees will move in to try to regulate the other media?

Mr. SPRINGER. With the trend of the sentiment in this country I believe we will have some reform of the election laws in the very near future, covering all elections. I am talking about general elections and primaries. This is my feeling. This is my hope, because I believe, after reading the present election laws, there is certainly a wide area here which ought to be covered.

Mr. MONTGOMERY. I thank the gentleman.

Mr. LLOYD. Mr. Chairman, unless the wealthiest candidates are to have an unfair advantage in today's political world, Congress must find a fair and equitable method to curtail and responsibly control expenditures for political advertising.

However, I believe the present bill represents a limited and therefore inadequate answer to the problem, and is, in its present form, discriminatory against the television and radio industry. There is no question but that the electronic media represents a major expense in political campaigns, and of truly major concern is the fact that candidates of more limited funds or lesser influence with television stations often suffer discrimination in their efforts to secure preferential time as against those better financed. I believe the television industry has the gravest responsibility to adopt fair and equal standards for all political advertisers. There is nothing in this bill, however, to prevent a diversion and proliferation of spending toward other advertising media, or, the outright employment of a sufficient number of personnel, including voters, to win an election. This bill therefore by treating only part of a problem, does not constitute a proper answer.

It is argued that this is a first step toward an ultimate goal of sensible limitations on all campaign spending. However, as a first step, it does remain discriminatory and does not realistically and sufficiently attack the grave problem which we have before us in setting these overall spending limits.

I am very much in favor of practical and enforceable legislation which would set a realistic overall political spending

limit, and I am hopeful that this objective will be attained in the near future. In the meantime, we should not be taking any roads which will lead us into a jungle of discrimination but should be designing new roads which will lead to campaigns that are more fair and directed to the election of those candidates best qualified rather than those most financially capable of winning elections.

Mr. MURPHY of New York. Mr. Chairman, I think everyone here will agree that it is vitally important that the cost of campaigning be reduced. Nothing is more important, in these vital times, than making sure that the general public has every opportunity to know and understand the positions of the various candidates before an election. That is why television has become one of the most effective—and expensive—mediums for presenting a candidate and his views.

Television time has driven campaign costs to all-time highs. The cost of appearing "live and in color" has dominated political fundraising and spending—and even the selection of candidates. Anyone should be able to run for public office, but how many able men never get out of the starting gate because they cannot afford the prohibitive price of prime time. The amount of money-spent-per-vote-cast in Presidential campaigns has more than doubled in this past decade. In 1960, 32 cents was spent per vote cast; in 1964 41 cents was spent and in 1968, 67 cents was spent for each vote.

Congressional campaigns are also costly ventures. A survey conducted by the Special Committee on Congressional Ethics of the Association of the New York City Bar found that 30 percent of the responding House Members spent over \$60,000 in their last campaigns—with several in tight races spending over \$100,000. Senate costs were even higher with 70 percent of those responding spending over \$100,000 and 40 percent spending over \$200,000.

The alarming increase in campaign costs is primarily attributable to the growing use of television in political campaigns. Ninety-five percent of American homes have a television set which is on an average of 5½ hours daily.

Television has become the major source of news for Americans and, hence, it has become an indispensable means of political campaigning. This greater dependence on the use of television by candidates plus higher production costs and increasing costs of air time have quadrupled political broadcast costs during the 12 years between 1956 and 1968.

These high costs have made candidates dependent either on personal wealth or, if that is not available, wealthy contributors. Thus, while the costs of campaigns have increased, the ratio of contributors to the amount contributed has shrunk. Presently, 90 percent of all campaign funds are contributed by less than 1 percent of the American population.

The fear that only the rich or those with rich friends can get elected to office prompted congressional action to meet what has been characterized as a "crisis in American campaign spending."

This problem is particularly acute in the larger metropolitan areas such as New York, Los Angeles, San Francisco, Detroit, and Chicago, where the rates are exorbitant. In my area alone, more than 20 Congressmen are forced to buy substantial amounts of television time. This is a matter which has greatly concerned me for some time, and I know most of my colleagues share that concern. We must scuffle to get on such prestigious shows such as NBC's "Meet the Press," ABC's "Issues and Answers," and CBS's "Face the Nation."

Recently, there has been a trend by some stations to cut political advertising rates. I would commend WPIX, channel 11, in New York, and its president, Fred M. Thrower, for its new policy of selling time for political spots at a 50-percent discount from normal commercial rates. Such policies make it feasible for candidates to use various stations, in this case WPIX, for their campaigns at more reasonable costs.

H.R. 18434 would help restore faith of the electorate in the democratic process by eliminating the appearance of buying elections. By limiting spending and the amounts that have to be spent, the bill would reduce the threat of campaign scandals. In the same sense, it would reduce the possibility of an elected official being controlled by special interests. By reducing exorbitant costs and making it easier for networks to provide free debate time, it would help equalize and hence broaden access to the media. By encouraging the networks to provide free time to presidential aspirants, the number of TV debates will increase. By providing uniform standards, the bill would make it easier for broadcasters to assume their responsibilities. It would not be discriminatory, simply because broadcasters now enjoy unique privileges. They are federally licensed to use the airwaves and to operate in the public interest, convenience, or necessity.

Mr. BENNETT. Mr. Chairman, I congratulate the chairman and the House Committee on Interstate and Foreign Commerce on bringing H.R. 18434 to the floor. I support the legislation and I hope it can be speedily enacted into law.

While the proposal has several important provisions—including repeal of the equal opportunity section of the Communications Act, allowing free broadcast time for presidential candidates—I am particularly interested in limitation of broadcast rates and expenditures for political candidates.

One of the most frightening things about our political system is the high cost of campaigning—to win or lose an election.

There are some shocking developments taking place today in elections on Federal, State, and local levels. It cost one 1970 U.S. senatorial candidate in the Nation's largest State at least \$2.5 million to lose a primary election. A Florida candidate for Governor this year reported he spent almost \$1 million before he even qualified for the race for office. Candidates for city and county commissions must sometimes raise tens of thou-

sands of dollars to support a campaign effort.

Herbert E. Alexander, director of the Citizens' Research Foundation, perhaps the most noted authority in this country on campaign spending has defined American democracy as "government for the people most effectively heard." He estimates that some \$300 million was spent in elective and party politics in the United States in 1968, and the largest portion—about \$75 million—was spent on broadcasting. To finance this kind of spending, a candidate must use his own personal wealth, rely on the support of other rich men or wealthy business, labor or other interests, or attract large numbers of contributors across the board. Most elections today are being financed by a small group of individuals—not by many small contributors. And the money being raised is primarily going to television and radio time and production costs to put the commercials on the air. So the candidate can be heard.

All of this is a threat to popular elections. Because campaigns are run in a limited time span, broadcasting is a most effective medium and the costs go up. Something must be done about it, and this bill before us today will help curtail exorbitant and excessive campaigns. The people demand this. A Gallup poll in 1967 reported that 73 percent of those responding said they favored a law which put a limit on the amount of money spent by a candidate for public office.

President Johnson in 1966 proposed a sweeping revision in the Federal election laws, saying:

Despite the soaring expense of political campaigns, we have done nothing to insure that able men of modest means can undertake elective service unencumbered by debts of loyalty to wealthy supporters.

Mr. Chairman today 45 years after the passage of the Federal Corrupt Practices Act and 30 years after the Hatch Act, we are making a new effort to instill public confidence in the elective process by limiting the high costs of getting elected—or losing an election. I am hopeful this bill we consider today will lead to further legislative reforms in our governmental elections.

Mr. KOCH. Mr. Chairman I support the political broadcasting bill and I will vote in favor of it.

It seems to me an eminently reasonable proposition that a candidate seeking election to Federal office not be required to pay more for broadcast time than a maker of cigarettes. It has been reported that a 30-second TV commercial during prime evening time in New York City can cost as much as \$6,000—\$200 per second. Perhaps that explains why practically as many Americans smoke cigarettes as the number who voted in the last congressional elections.

Broadcasting is big business but, Mr. Speaker, the public interest is important business and this bill does something about restoring a balance. The bill not only provides greater access to radio and TV for candidates with limited campaign resources but it also restricts the spending of those candidates who have

the good fortunes not to be limited in what can be spent to reach to the voting public.

If two candidates were to have a public debate on TV, it would be ludicrous to permit the wealthier candidate more time to speak on the issues than his opponent. Yet without some dollar limitation for commercial time, that is precisely the advantage now given to the candidate with more money to spend. Again, this bill does something about restoring a balance.

I commend the work of the Twentieth Century Fund Task Force on Financing Congressional Campaigns, the efforts of the National Committee for an Effective Congress, and the good sense of the members of the Interstate and Foreign Commerce Committee of this House.

Mr. PRICE of Illinois. Mr. Chairman, the great influence broadcasting has in the formulation of the political opinions of the American people is evident and widely publicized these days. It is desirable therefore, that broadcasting be regulated, in the public interest, to insure the widest yet fairest use of this media. The purpose of this bill is to effect this.

A limitation placed on both broadcast rates and candidate spending will insure the accessibility of television to all candidates yet prevent wealthier ones from taking undue advantage. In other words, this bill allows fair yet complete presentation of issues and candidates involved in an election.

The House version of this legislation should prove to be more effective than the Senate one because it allows for the extension of the cost limitations to State and local elections. In addition, the House bill, not to be effective until 1971, will avoid the confusion that will result if these limitations go into effect immediately.

A fair electoral process is vital to our constitutional system. Impartial television campaign coverage is necessary for this. For these reasons, I urge the adoption of the political broadcasting bill.

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

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

The CHAIRMAN. The Chair will count. [After counting.] Seventy-five Members are present, not a quorum.

The Clerk will call the roll.

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

[Roll No. 270]

Alexander	Cunningham	McCulloch
Anderson, Tenn.	Daddario	McKneally
Arends	Dawson	Malliard
Ashley	Diggs	Meskill
Aspinall	Edwards, La.	Moorhead
Baring	Evins, Tenn.	Nedzi
Berry	Fallon	O'Hara
Bray	Flynt	O'Neal, Ga.
Brock	Gilbert	Passman
Buchanan	Hébert	Follock
Burleson, Tex.	Hull	Powell
Caffery	Jonas	Price, Tex.
Celler	Jones, Ala.	Rarick
Clay	Keith	Reifel
Conyers	King	Rogers, Colo.
Corman	Long, La.	Rooney, N.Y.
Cowger	McCarthy	Rostenkowski
Cramer	McClory	Roudebush
	McClure	Ryan

Scherle	Sullivan	Weicker
Scheuer	Symington	Whitten
Schwengel	Teague, Tex.	Wright
Staggers	Tunney	

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. STRATTON, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee having had under consideration the bill H.R. 18434, and finding itself without a quorum, he had directed the roll to be called, when 362 Members responded to their names, a quorum, and he submitted herewith the names of the absentees to be spread upon the Journal.

The Committee resumed its sitting. The CHAIRMAN. The Committee will rise informally in order that the House may receive a message.

The SPEAKER assumed the chair. The SPEAKER. The Chair will receive a message.

FURTHER MESSAGES FROM THE PRESIDENT

Further messages in writing from the President of the United States were communicated to the House by Mr. Leonard, one of his secretaries.

The SPEAKER. The Committee will resume its sitting.

POLITICAL BROADCASTING

The Committee resumed its sitting. The CHAIRMAN. When the Committee rose, the Clerk was about to read.

The Clerk will read. The Clerk read as follows:

H.R. 18434

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) the first sentence of section 315(a) of the Communications Act of 1934 (47 U.S.C. 315(a)) is amended by inserting before the colon the following: ", except that the foregoing requirement shall not apply to the use of a broadcasting station by a legally qualified candidate for the office of President or Vice President of the United States in a general election".

(b) Section 315(b) of such Act is amended to read as follows:

"(b) The charges made for the use of any broadcasting station by any person who is a legally qualified candidate for any public office shall not exceed the lowest unit charge of the station for the same amount of time in the same time period."

Sec. 2. Section 315 of the Communications Act of 1934 is further amended by redesignating subsection (c) as subsection (f) and by inserting immediately before such subsection the following new subsections:

"(c) (1) For purposes of this subsection, the term 'major elective office' means the office of President, United States Senator or Representative, or Governor or Lieutenant Governor of a State.

"(2) (A) No legally qualified candidate in an election (other than a primary election) for a major elective office may spend for the use of broadcasting stations on behalf of his candidacy in such election a total amount in excess of—

"(1) 7 cents multiplied by the number of votes cast for all legally qualified candidates for such office in the last preceding general election for such office; or

"(ii) \$20,000, if greater than the amount determined under clause (1) (or if clause (1) is inapplicable).

"(B) In the case of a candidate for United States Senator in a State in which the total number of votes cast for all legally qualified candidates for Senator in the last preceding election for Senator was less than the greatest total number of votes cast for all legally qualified candidates in any election (held after such preceding senatorial election) for a statewide office in such State, the amount determined under subparagraph (A) (1) shall be 7 cents multiplied by such greatest total number of votes for statewide office.

"(3) No legally qualified candidate in a primary election for nomination to a major elective office, other than President, may spend for the use of broadcasting stations on behalf of his candidacy in such election a total amount in excess of 50 per centum of the amount determined under paragraph (2) with respect to the general election for such office.

"(4) Amounts spent for the use of broadcasting stations on behalf of any legally qualified candidate for major elective office (or for nomination to such office) shall, for the purposes of this subsection, be deemed to have been spent by such candidate. Amounts spent for the use of broadcasting stations by or on behalf of any legally qualified candidate for the office of Vice President of the United States shall, for the purposes of this subsection, be deemed to have been spent by the candidate for the office of President of the United States with whom he is running.

"(5) No station licensee may make any charge for the use of such station by or on behalf of any candidate for major elective office (or for nomination to such office) unless such candidate, or a person specifically authorized by such candidate in writing to do so, certifies to such licensee in writing that the payment of such charge will not violate paragraph (2) or (3), whichever is applicable.

"(d) If the Commission determines that—

"(1) a State by law—

"(A) has provided that a primary or other election for any office of such State (other than Governor or Lieutenant Governor) or of a political subdivision thereof is subject to this subsection, and

"(B) has specified a limitation upon total expenditures for the use of broadcasting stations on behalf of the candidacy of each legally qualified candidate in such election, and

"(2) the amount of such limitation does not exceed the amount which would be determined for such election under subsection (c) had such election been an election for a major elective office, or nomination thereto, then no station licensee may make any charge for the use of such station by or on behalf of any legally qualified candidate in such election unless such candidate, or a person specifically authorized by such candidate in writing to do so, certifies to such licensee in writing that the payment of such charge will not violate such limitation upon total expenditures.

"(e) For the purposes of this section, the term 'broadcasting station' includes a community antenna television system, and the terms 'licensee' and 'station licensee' when used with respect to a community antenna television system, mean the operator of such system."

Sec. 3. The amendments made by this Act shall take effect on January 1, 1971.

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

The CHAIRMAN. Without objection, it is so ordered.

There was no objection.

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

Mr. Chairman, I ask unanimous consent to proceed out of order.

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

There was no objection.

Mr. BOGGS. Mr. Chairman, first let me congratulate the distinguished gentleman from Massachusetts and the other members of the committee for this bill which is a milestone bill and one which is necessary, and one which I fully support.

Mr. Chairman, I am astonished that the President of the United States a little while ago would send down veto messages on two vital bills—one the education bill and the other, the housing bill—and in the same messages attempt to blame the Congress for inflation and high interest rates in this country.

Mr. Chairman, the President is just not going to get away with this. The reason we have high interest rates and the reason we have inflation in this country is because of the policies of this administration.

Well, some Republicans may laugh if they please.

I want to see how many are going to be laughing tomorrow or the next day when the veto messages are considered here. I would be very interested in seeing how many Members on the Republican side vote to sustain or override the veto on the education bill—and for that matter, the bill on housing—both of them.

Mr. Chairman, it is very simple, what the President is trying to do. This administration has already underestimated revenues by \$3 or \$4 billion. Why? Because unemployed people and failing businesses do not pay taxes.

In addition to that, Mr. Chairman, the whole system of priorities is involved here, and the whole question of the separation of powers is also involved.

Since when did the President have the right or the authority under the Constitution or anywhere else to tell the Congress what it has to appropriate—and what it can or cannot appropriate?

The two basic powers in the Congress of the United States are the power to raise revenues and the power to expend those revenues.

The President can talk all he wants to about high interest rates. He is right—we are paying today almost \$2 billion a year more because of the policy of this Government in attempting to maintain control of inflation by monetary policy alone. Why? The total additional amount for education and for housing—and who can possibly deny the need for both in this Nation today—who can possibly deny the need for pollution control—these are fundamental programs—and yet the total amount involved does not equal half of what we are paying in additional interest charges because of high interest rates imposed by this Nixon administration.

So, Mr. Chairman, I hope and I trust that whenever the vetoes are called up, the Democrats will vote unanimously to override. I suspect we will get a vote or two over here, may I say to the minority

leader, Mr. GERALD R. FORD—and I really suspect we will get some too.

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

Mr. BOGGS. I yield to my good friend the gentleman from Ohio.

Mr. HAYS. I want to endorse everything the distinguished gentleman has said except one thing in relation to the Independent Offices appropriation bill. Unless they change that a little bit, I might vote to sustain the veto, because I understand that the post office moved out of the Federal Building in Grand Rapids, Mich., and the whole first floor is vacant. They are paying \$200,000 to rent another building. There is \$10 million in the bill to build another Federal building. I might just vote to sustain that one.

Mr. BOGGS. In that connection I might say that I had a visit from the Under Secretary of the Treasury this afternoon asking for new taxes, and I heard on the radio just a few minutes ago where the Postmaster General said that the first-class rate would inevitably go to 8 cents and probably more than that in the next 18 months. So I trust that this action of the President in assuming a role of the Congress will be properly repudiated.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. BOGGS. I am happy to yield to the gentleman from Massachusetts.

Mr. MACDONALD of Massachusetts. I would just like to say to the distinguished gentleman from Louisiana that I agree with much of what he has said. However, the bill before us today is a nonpartisan bill, and I hope it stays that way.

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

The CHAIRMAN. The gentleman from Illinois is recognized.

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

Mr. SPRINGER. I yield to the distinguished minority leader.

Mr. GERALD R. FORD. Mr. Chairman, the gentleman from Louisiana has made one of his almost daily tirades, and there is about as much substance to the one today as there has been in those in the past. He talked about interest rates, and that interest rates were a great burden to the Federal Government. I agree, but most of that burden today is caused by Democrat deficits. I just happen to have in my hand the figures that the Government paid annually in total interest rates on the national debt: In 1961, the amount was \$9 billion. In 1968, the annual cost of interest under the previous administration was \$14.6 billion. In other words, the interest cost per year to the Federal Treasury and to the taxpayers had gone up \$5.5 billion under the last two Democratic administrations.

The problem is precisely this: When you spend more than you take in—and we had about \$60 billion of deficits in the last 8 years of the previous administrations—you inevitably add to the cost of interest rates to the Federal Government, because the national debt is greater.

The issue tomorrow or the next day, whenever the veto votes come, will be whether or not we are going to add \$1

billion in expenditures over and above what the President recommended for these two appropriation bills. I do not think that the Congress ought to add \$1 billion in extra spending, and add \$1 billion to the cost of carrying the Federal Government debt for the next 12 months.

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

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

Mr. ALBERT. The gentleman has talked about what happened in 1961. Of course, President Kennedy inherited the last recession we had until the Nixon recession.

The gentleman has spoken about the continuing rise in the interest rates. Of course, they have risen. Interest costs are going up because interest rates have been going up under the policies of the present administration.

Mr. GERALD R. FORD. My friend from Oklahoma talks about economic conditions. I presume he is referring to the fact that now we have a 5-percent nationwide unemployment.

I did a little researching the other day and I found that President Johnson opened his January 1965, Economic Report to the Congress with these words. This is President Johnson in January 1965:

I am pleased to report that the state of our economy is excellent.

At that time, the unemployment rate was 5 percent. I guess nationwide unemployment at 5 percent under the Democratic administration indicates a healthy economic situation, but 5 percent unemployment under Republicans, for purely political reasons, is a bad situation.

Mr. ALBERT. The latest edition of the latest paper printed in Washington today indicates that income is off 13 percent. This is the third month in a row in which it has been off. If I were the gentleman, I would be a little bit careful about defending the fiscal and economic policies of the Nixon administration.

While the gentleman is talking about things that are phony, there is nothing phony about the fact that there is \$105 million extra for veterans in the independent office bill, or about the Federal building, might be built in Grand Rapids, Mich. It is in the bill, and I think we ought to keep it in there.

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

Mr. SPRINGER. Mr. Chairman, I believe we have had equal time here. I personally will object to anyone else speaking out of order. I think we have spoken equally out of order, and I think we ought to proceed with our business.

AMENDMENT OFFERED BY MR. PICKLE

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

The Clerk read as follows:

Amendment offered by Mr. PICKLE: On page 1, line 5, strike out "except that" and all that follows on such page and insert in lieu thereof the following: "except that the foregoing requirement shall not be construed to require a licensee to afford equal opportunities in the use of such broadcasting station to any legally qualified candidate for the office of President or Vice President in a general election unless such candidate

has been qualified by applicable State law to appear on the ballots of at least two-thirds of the several States. For purposes of the preceding sentence, the District of Columbia shall be considered a State."

Mr. PICKLE. Mr. Chairman, I think this amendment comes at an apropos time, because it pertains to the repeal of the equal time provision, and we have just been engaged in some rather heated debate here pertaining to equal time. I am tempted to ask for equal time, equal to those who have preceded me, but in the interest of time, let me address myself to my amendment.

Mr. Chairman, I called this amendment to the attention of the committee when we were considering it about an hour ago. It says a broadcast station would not be required to carry a broadcast unless a candidate was qualified in two-thirds of the States.

The bill that came out of the committee and which is before us now simply repeals the equal time provisions for President and Vice President in the general election. The repeal, therefore, leaves to the individual station in full discretion whether it wants to carry a particular broadcast or not. It might take the broadcast, or it might not. That decision would be subject to the fairness doctrine, whatever that doctrine is or however it might be interpreted at the time, and everyone of us who runs for office knows that subject is open to a considerable interpretation.

This amendment I have offered says that a station would not be required or it would not be construed to require a licensee to afford equal time opportunities in the use of a broadcasting station to any legally qualified candidate unless he had been qualified under the State laws applicable to two-thirds of the various States.

I believe this clarifies the amendment. At least, so far as I am concerned, it says that the intent is that if they do extend this equal time it would have to go to all candidates who had been qualified in two-thirds of the States.

The question at that point gets a little bit tricky. One has to follow it pretty closely. I have engaged in a discussion with the staff and with other Members in the past hour, so I know this is not a simple matter.

The gentleman from Illinois asked me if this means one could not give any time to the Socialist Party or to the furniture party or to the welfare party or the liberty party. My answer was that if a candidate had been qualified under two-thirds of the States then that time would have to be given to all such candidates.

Then a question resolves: Suppose that a local broadcast station wanted to give time to a minor party or a candidate representing a minor party. I believe that the amendment would lend itself to the interpretation that it would permit such a broadcast. For instance, a local station here, WTOP, could give 10 minutes of time to the liberty party or to the welfare party, but if they gave 10 minutes of time to the welfare party then they would have to give an equal time or opportunity for equal time to those candi-

dates qualified under two-thirds of the States. It would not open the door wide and require them to give time to 10 other minority parties.

If that is a correct interpretation of it, then it seems to me that the amendment is a good one, because it defines major candidates; namely, that they are qualified under two-thirds of the various States. It leaves to the broadcaster the discretion he needs, and it gives him the format necessary to allow the broadcast.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I rise in opposition to the amendment.

At the outset, I understand that the gentleman from Texas raises this question in all good faith. It was raised, with perhaps a change or two in the language, before the full committee. The intent was the same before the committee.

As I recall, it was defeated not by a recorded vote, but if my memory serves me correctly—and I believe it does—there was only one vote for it, and that was the vote of the author of the amendment. That is not by itself fatal, but I believe it indicates that many of the members of the committee remember quite well how the same committee—with not necessarily the same membership as now constituted—wrestled with this problem back in the Lar Daly days. We gave up in desperation and frustration when nobody could really decide how one would define a legally qualified candidate.

Second, while it sounds impressive to get a listing of two-thirds of the States, I believe the Members here from Maryland know very well that all one has to do to become a legally qualified candidate for President in Maryland is to put up \$250.

Third, the problem of defining "legally qualified candidates" came up in testimony when the witnesses from the three networks appeared. They were specifically asked questions—and I, among others, made the inquiries—about whether the Congress would be delegating its authority to the networks to indicate who was a bona fide candidate.

Specifically the question concerning Governor Wallace came up. They indicated obviously and clearly that in such a case, obviously in the public interest he would be considered a major candidate and would be given equal opportunity.

Therefore, Mr. Chairman, I urge the committee to reject the amendment.

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

Mr. MACDONALD of Massachusetts. I yield to the gentleman.

Mr. PICKLE. I would like to correct the gentleman's memory, because there were three or four Members who had voted in favor of my amendment, and some of them may speak here later on in the debate.

Mr. MACDONALD of Massachusetts. I would like to point out that a vast majority did so. Perhaps I overstated the case by stating only one Member did so, but a vast majority of the people who heard all of the testimony voted against it.

Mr. PICKLE. And the amendment that was before you then was not the amendment before you today, because I went to the staff in order to get help so as to draw up an amendment that covered the intent of what we are trying to get at. So it was not the same amendment that was offered 2 years ago. At that time we talked in terms of equivalent appearances or which would incorporate in the same program opportunities for equivalent appearances. So this is not the same amendment.

Mr. MACDONALD of Massachusetts. I never said it was. If the gentleman will permit me to say so, what we rejected was the debate form of the amendment, and this is nowhere seen in your amendment. I quite agree with you, but I do say it is a problem that has been mulled over and discussed at length and this particular approach was rejected by the committee.

Therefore, Mr. Chairman, I urge its rejection here.

Mr. BROYHILL of North Carolina. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, the full meaning of this amendment is unclear to me. I do not know whether I fully understand the full intent of this amendment, because it is not clear to me what the full force and effect of this amendment would be.

The committee bill provides for a straight out repeal of the equal opportunities part of section 315 as it applies to presidential candidates. We have already discussed here in general debate why this is in the public interest. The repeal that we have written in here in the committee bill would make it easy and would facilitate the presentation of significant and major candidates on the broadcast media. This could be done with or without providing time for the minor or splinter candidates. One interpretation of the amendment offered by the gentleman from Texas would mean that for certain candidates, those candidates that are on the ballots in two-thirds of the States, their equal time provisions would still apply. If that is the case, you will still have this locked-in situation you have today where the broadcasters or the licensees would be unwilling to devote any time to any of the candidates. That is the situation we have today.

As I pointed out a few moments ago in general debate, in the 1960 experiment, the broadcasters devoted 86 or more hours of programming to the presidential campaign whereas in the last presidential election only 26 hours of programming was provided for the coverage of the presidential campaign, and most of that, it is my understanding, was on bona fide newscasts and not on special programs.

So section 315 as it is presently written prevents the public from seeing the presidential and vice-presidential candidates on the airwaves. It prevents them from hearing the issues as they see the candidates.

Mr. Chairman, I am very afraid that if this amendment were adopted, we would have the very same situation we have today.

So for these reasons, Mr. Chairman, I urge the defeat of the amendment offered by the gentleman from Texas (Mr. PICKLE).

Mr. SPRINGER. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment offered by the gentleman from Texas.

Mr. Chairman, I have no desire to cut off debate on the amendment offered by the gentleman from Texas, but if there is to be no further discussion I would suggest a vote on the amendment.

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

Mr. SPRINGER. Mr. Chairman, I yield to the gentleman from Texas.

Mr. PICKLE. Mr. Chairman, I would ask the gentleman would it not be possible under the bill before us now for a broadcasting station to carry the broadcast of a particular candidate or party and not to carry one of another?

Mr. SPRINGER. That would be possible, the gentleman states it correctly and fairly that this would now be put at the discretion of the network as to who they would broadcast. But I believe we have to take our experience in the 1960 election where there was agreement between the two candidates as to the format and as to how it was done. But even though the networks were not required to give time to minority parties it is my understanding they did give some time to every single one of the minority parties, even though they were on the ballot in only one State. So I think it is a question of judgment.

Mr. Chairman, may I say that the distinguished gentleman from Texas has made important contributions to this bill in the committee, and I do not want to minimize that in any way, but I do want to say that I have some very definite reservations about the way the amendment is drawn. I have read it and reread it and I am not sure that the amendment carries out exactly what the gentleman has said it would, and I do not take anything away in good faith from the gentleman, but it just seems it is such a complicated amendment that I am not sure it does mean what the gentleman from Texas says it does. That is the reason I am against the amendment myself.

Mr. PICKLE. Mr. Chairman, if the gentleman will yield further, I appreciate the gentleman's comments. Now I think we are going to see a great deal of confusion all over the country by the broadcasters when they do not know whether to carry a particular broadcast or not. I think they would prefer, those with whom I have talked, to have specific guidelines, to have specific limitations and my amendment does limit the time available, saying that if a man is qualified in two-thirds of the several States then they would be required to do so, that this provision would apply. It does not prevent a local station from giving time to another party, but if it did, they would have to give it to the candidates qualified in two-thirds of the State. Indeed the local station could give 10 minutes time devoted to the Demo-

cratic Party or to the Republican Party, and if you gave 10 minutes time the local station under the amendment would have to give of course 10 minutes time to all other parties or candidates qualified under two-thirds of the States but he would not have to go into all the other minor candidates. That is the reason why it seems to me it does give us protection, and it would strengthen the bill.

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

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

Mr. MOSS. Mr. Chairman, I want to join with the gentleman from Illinois (Mr. SPRINGER) in opposing this amendment knowing, as the gentleman does, the many hours we spent as far back as 1958 and 1959 and 1960 and on to 1968 in the committee in trying to define legally qualified candidates. It is a very difficult thing to do in a great many of the States to define what constitutes legal qualification. Mere declaration publicly, not before any official, in some instances qualifies. I think if we want to put mischievous language in this legislation and give the broadcasting industry a headache it does not seek, then all we have to do is to adopt the amendment offered by the gentleman from Texas (Mr. PICKLE), and we will achieve that objective.

Mr. Chairman, I thank the gentleman for yielding.

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

Mr. SPRINGER. If I have any additional time I will gladly yield to the gentleman.

Mr. PICKLE. Mr. Chairman, may I point out this additional fact, that the committee did accept an amendment 2 years ago, which related to debate. I would want to make that plain; and did pass the committee, but it did have a proviso that they would have to be qualified under two-thirds of the States. So this is not anything new, and it should not be anything startling, and should not be opposed, because we have already voted for it previously and are familiar with it.

Mr. SPRINGER. Mr. Chairman, I would ask for a vote on the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. PICKLE).

The amendment was rejected.

AMENDMENT OFFERED BY MR. OTTINGER

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

The Clerk read as follows:

Amendment offered by Mr. OTTINGER of New York. On page 2 strike out subsection (b), lines 3 to 7, and insert:

"The Commission by regulation shall require broadcast stations to provide legally qualified candidates for any major elective office adequate prime time to present their records and stands on campaign issues free of any charge. The Commission shall establish criteria for eligibility of legally qualified candidates for any major elective office for such free broadcast time, so as to eliminate insubstantial candidates asserted to obtain free broadcast time."

On line 16, page 2, strike "(A)".

On line 17, page 2, strike "other than" and insert, "including".

On line 18, page 2, after the word, "spend" insert "any money nor shall any money be spent by any person on his behalf".

On line 19, page 2, place a period after the word, "election." Strike everything from after the word, "election" at line 19 on page 2 through line 5 on page 5.

On line 6, page 5, strike "(e)" and insert "(d)".

Mr. OTTINGER (during the reading of the amendment). Mr. Chairman, I ask unanimous consent that the remainder of the amendment be considered as read.

Mr. TIERNAN. Mr. Chairman, I object.

The Clerk concluded the reading of the amendment.

The CHAIRMAN. The gentleman from New York (Mr. OTTINGER) is recognized for 5 minutes in support of his amendment.

Mr. OTTINGER. Mr. Chairman, this is the amendment to which I referred in general debate which would allow the commission by regulation to provide free time to all legally qualified candidates for major elective offices and then would prohibit any money from being spent by candidates for major elective office for broadcast time.

I think the legislation that the committee adopted is, as I said, an important step in the right direction. It does pose or leave some problems, however. In a large State, candidates would still have to raise very major sums just for media time—in New York State, somewhere in the neighborhood of \$420,000 for media time alone. This means the bill really does not accomplish the full objectives of permitting candidates without access to funds to be able to run. Nor, in fact, does it free from financial pressure candidates for office.

I think the direction in which we should pursue, and which I would very much favor and have advocated for some time, would be to provide free time to all candidates so that everybody would have free access to the media without having to raise large sums of money.

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

Mr. OTTINGER. I am glad to yield to my friend and colleague.

Mr. ECKHARDT. Mr. Chairman, would you give by this amendment to an administrative commission authority to determine who is an insubstantial candidate without placing any standards on this determination?

Mr. OTTINGER. The question is so very complicated, as the gentleman knows, and we have coped with that question ourselves for a great deal of time in the committee without ever having achieving any great success. It seems to me, the only proper way to handle it is to have the commission establish regulations in that respect.

Mr. ECKHARDT. I understand that the committee in coping with it has always said that there shall be full discretion with the network or broadcaster.

You have not delegated the authority to determine who is an insubstantial candidate to a governmental agency which is not elected, have you?

Mr. OTTINGER. What we have done here is to give the commission the ability to establish the criteria for eligibility for free time. It seems to me, that is ap-

appropriate authority to give to the commission. It is restricted, only to be exercised to eliminate insubstantial candidacies which are asserted to obtain free broadcast time. I think that is an adequate standard to guide the commission's determination.

Mr. ECKHARDT. I would not feel comfortable with that standard if the commission were in the hands of another political group.

Mr. OTTINGER. I yield back the balance of my time.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I move to strike out the requisite number of words, and rise in opposition to the amendment. The amendment, of course, is a good one in many respects. It is a Utopia to which we all aspire. But in all practicality, I do not think it is going to happen. There are certain technical defects as well. As the gentleman knows, on his behalf I offered the amendment in the committee and we were not successful. I urge defeat of the amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. OTTINGER).

The amendment was rejected.

AMENDMENT OFFERED BY MR. OTTINGER

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

The Clerk read as follows:

Amendment offered by Mr. OTTINGER: On page 2, line 17, strike out "other than" and insert, "including."

On page 3, line 10, strike section "(3)", lines 10-16, and renumber the other sections accordingly.

The CHAIRMAN. The gentleman from New York is recognized in support of his amendment.

Mr. OTTINGER. Mr. Chairman, this amendment endeavors to strike out a provision of the bill that I think operates particularly inequitably. I think it is probably an oversight on behalf of the committee. It is section (3) which would limit the expenditure on primaries to half of that which is allowed in general elections.

I congratulate the committee for including primary elections in this bill. My objection is to the restriction on primary elections.

The fact of the matter is that when you are in a primary election campaign you do not get a special rate because the only people you have to reach are the Democrats or the Republicans. You still have to reach the same audience that you have to reach in the general election. The cost is the same.

The effect of the bill permitting only half the media exposure in primaries as in general elections is very severely to restrict primary campaigns. It might well be labeled the "Incumbent's Protection Provision." In New York what it would mean is that you could spend a total of about \$200,000 on media time in a primary election. This does not affect my situation at all. My primary is already over. But it would have the effect of entrenching political machines, making it very difficult to challenge them in primaries. It would have the effect of keeping in office incumbents, since in-

cumbents generally get re-nominated by the political parties in their district.

For many Members here, the only election they have to enter at all is a primary election. Therefore, with respect to what they can spend to defend their records in the primary, they will be inequitably limited in the provisions with respect to primaries. They will have to reach the same audience as in general elections. In these districts the operation of this legislation is twice as restrictive as in districts where the principal challenge is in the general election. I urge adoption of my amendment.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I move to strike out the requisite number of words.

The CHAIRMAN. The gentleman from Massachusetts is recognized.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I would point out to the gentleman, which I know he already knows without my pointing it out to him, this bill is a bill for all 50 States. The State of New York is perhaps a unique State. I know it claims to be. However, this is a bill for all States. We tried out many formulas, and we came up with a formula that one-half of the general election expense was an equitable figure for a primary.

I would point out to the gentleman that under the Senate bill the primary was not even considered.

We could talk from now on for many hours about what an equitable solution is for our own particular district or our own particular State. I sympathize with the gentleman. I understand that \$200,000 for a statewide campaign on radio and television probably is not very much. But I am a country boy, sort of, and it seems a great deal to me.

In any event, I reiterate we cannot tailor a bill for any given State. I urge the defeat of the amendment.

Mr. BROZMAN. Mr. Chairman, I move to strike the requisite number of words, and I rise in opposition to the amendment.

Mr. Chairman, we gave very careful consideration in the subcommittee to this, as stated by the gentleman from Massachusetts (Mr. MACDONALD). We determined that if the bill was going to work properly, we had to apply the limitation on the primary as well as on the general election. If we granted a full amount of expenditure, the same for the primary as for the general, it would have defeated the very purpose of this particular bill, which is to give everyone an opportunity to run for high political office. So I would certainly agree with the comments previously made, that we should vote down this amendment.

Mr. ECKHARDT. Mr. Chairman, I move to strike the requisite number of words, and I rise in favor of the amendment.

Mr. Chairman, it is very difficult for me to understand the argument made against this amendment to the effect that it would defeat the bill to pass the amendment, or that it would seriously affect the bill, or that somehow it is not written for the whole country.

A bill which is written for the whole country should recognize those areas in

which the primary is in effect the election, as well as recognize those portions of the country in which the general election is in effect the election. I recognize that in speaking in favor of this amendment, I am to some extent speaking against my own interests. I come from an area where the primary makes the effective determination, but I simply do not believe it to be fair to isolate me against opposition by cutting down expenditures to half of that which could be expended against a person in a general election in this bill. It seems to me the figure should be the same, because a man who is principally jeopardized in his primary should be up against exactly the same danger of being overthrown by an attack as a candidate whose main race is in the general election.

Mr. MACDONALD of Massachusetts. Mr. Chairman, will the gentleman yield?

Mr. ECKHARDT. I yield to the gentleman from Massachusetts.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I am sure the gentleman does not want us to try to write here on the floor what is safe for his district, where the primary is the election. It is just politically impossible. We do not have a personal role. We had to come up with a figure. I sympathize with the gentleman. I agree with the gentleman that in some areas the primary is tantamount to the election. It should not be that a primary or any election could be bought. That should be stopped. We cannot write a bill which gives separate figures for each of the States or districts throughout the 50 States, broken down into districts, saying this one could spend this much, or this one could spend that much in the general election. It is physically impossible to do.

Mr. ECKHARDT. I very much respect the gentleman's opinion, but it seems to me if we cannot distinguish between the two, we should make the rule precisely the same for both.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York (Mr. OTTINGER).

The amendment was rejected.

AMENDMENT OFFERED BY MR. JACOBS

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

The Clerk read as follows:

Amendment offered by Mr. JACOBS: On page 2, line 24 following the period, add "Nor may any legally qualified candidate in an election (other than a primary election) for a major elective office spend for the use of broadcasting stations on behalf of his candidacy in such elections any amount of money unless he has first certified to the broadcast licensee from whom he proposes to make the purchase of time that his total expenditures for newspaper or periodical advertisements on behalf of his candidacy in such an election will not exceed—

"(i) 14 cents multiplied by the number of votes cast for all legally qualified candidates for such office in the last preceding general election for such office; or

"(ii) \$40,000, if greater than the amount determined under clause (i), (or if clause (i) is inapplicable)."

POINT OF ORDER

Mr. MACDONALD of Massachusetts. Mr. Chairman, a point of order.

The CHAIRMAN. The gentleman from

Massachusetts will state the point of order.

Mr. MACDONALD of Massachusetts. Mr. Chairman, while I understand the reasons behind the amendment and sympathize with the gentleman, since I have found myself in similar circumstances, I make the point of order that the amendment, unfortunately, is not germane to this bill. We have no jurisdiction over the subject matter of the amendment.

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

Mr. JACOBS. Yes, Mr. Chairman.

The amendment proffered does not directly regulate the use of other advertising media. It simply places a qualification on the use of the facilities over which this committee and this bill does have jurisdiction.

One of the qualifications of the bill, in order to use the facilities of a licensee, is that the candidate certify that he has not done a certain thing other than the instant transaction that he seeks to bring about. This is in the same general nature, in that he certifies he has not carried forth a certain activity with respect to his campaign other than the instant transaction which he seeks to bring about.

The CHAIRMAN (Mr. STRATTON). The Chair is ready to rule.

The gentleman from Massachusetts has made a point of order against the amendment offered by the gentleman from Indiana on the grounds that it is not germane. The gentleman from Indiana has shown the Chair the amendment, and the Chair has had an opportunity to study it.

The bill before the Committee of the Whole has four purposes:

First. To repeal the equal opportunities provisions of the Communications Act of 1934 with respect to candidates for the office of President and Vice President;

Second. To reduce the rate which broadcast stations may charge candidates for the use of broadcast time;

Third. To set reasonable limits on the amounts which may be spent for broadcast time by candidates for President and Vice President and by other candidates for Senator, Representative, Governor, and Lieutenant Governor.

Fourth. To permit the States, by law, to place candidates for State and local offices under the provisions of the legislation.

The amendment offered by the gentleman from Indiana is drafted as an amendment to that part of the bill, section 2, on page 2, which seeks to impose limits on the amounts which may be spent by candidates for major elective offices for the use of broadcasting stations.

The bill pertains solely to radio and television.

The amendment offered by the gentleman from Indiana, however, introduces another subject: Expenditures for newspaper and periodical advertising.

The effect of the amendment is to significantly broaden the scope of the bill. While both the bill, in part, and the amendment have a common purpose—

limiting campaign expenditures—this fact alone does not insure the germaneness of the amendment. The Chair has examined a ruling made by Chairman Cannon, of Missouri, in the 77th Congress which stands for the following proposition:

The fact that an amendment and the provision in the bill to which the amendment is offered have a common purpose and are directed toward the same objective is not conclusive, and an amendment dealing with a subject to which there is no reference in the text to which offered is not germane to the bill [Rec. p. 875-878, Feb. 10, 1941].

Since there is no mention in the pending bill of an expenditure control on any campaign costs except radio and television, the Chair finds that the amendment is not germane and sustains the point of order.

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

The CHAIRMAN. The gentleman from Indiana is recognized for 5 minutes.

Mr. JACOBS. Mr. Chairman, I believe that the general purpose of the legislation before us is commendable, and I do commend the gentleman from Massachusetts and the gentleman from Illinois for the excellent job that they have done.

I suggest to the Committee that within their jurisdiction they have been incapable of creating much more than what I would have to call a somewhat leaky bucket.

PARLIAMENTARY INQUIRY

Mr. MACDONALD of Massachusetts. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. MACDONALD of Massachusetts. My inquiry is, after an amendment has been ruled nongermane, can the author, no matter how sympathetic all of us are with him, then continue to explain an amendment that has been ruled nongermane?

The CHAIRMAN. The gentleman's amendment was ruled out of order, but then the gentleman was recognized by the Chair in support of his pro forma amendment, when he moved to strike the requisite number of words.

Mr. JACOBS. Mr. Chairman, I might say that I am just discussing what I think the shortcomings of this bill happen to be and apparently, according to the precedents, what they must be.

Nonetheless it represents a goose-and-gander situation. The law does not even take a gander at newspaper advertising. It would be as though you offered a bill to create a law to set the speed limit at 30 miles an hour for two-door sedans and then forgot about four-door sedans and let them drive as fast as they could be driven. Or, putting it another way, a person can spend up to \$20,000 on the electronic media and up to \$1 million, \$2 million, or \$5 million or however much he can get ahold of on the other media.

The gentlewoman from Hawaii (Mrs. MINK) in the last and most recent election, in 1968, was confronted with a campaign against her where they did not use full-page ads but used double full-page ads consistently day in and day out. She did not have the resources to com-

pete with that kind of advertising in that media.

I ask the question of this committee, what happens when the only newspaper in town willingly enlists itself in your opponent's campaign and becomes in effect the campaign brochure of your opponent. What kind of protection is there in a situation like that?

Mr. MACDONALD of Massachusetts. Will the gentleman yield?

Mr. JACOBS. In just one moment.

The problem that the committee faces is the same problem the fellow had trying to get from the Virginia side over to the District side last night. He asked somebody along the way this question: "If I go down this road, can I get over to the District side?" The bystander said, "No. You go down here two or three blocks and then you turn left. No. You do not turn left here. You turn left there. No. You don't do that, either." After he said, "You just cannot get there from here."

Well, there is a very important problem with which the country and the Congress is faced. It is perhaps the Corrupt Practices Act, where this amendment should be offered, but can we get there from here? That is the question. I would like to know if there is any member of this committee who does not see the kind of inequity that I am talking about and would not favor this bill's restriction being applied to other media.

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

Mr. JACOBS. I yield to the gentleman.

Mr. SPRINGER. May I say that this was discussed in the committee, but we are bound by just the jurisdiction of our committee. We came conclusively and unanimously to the opinion that we could not go beyond exactly what we have done here in this bill.

May I say what the gentleman has said is essentially true. I am talking about what ought to be done with reference to the Corrupt Practices Act. I admire him for his stand and think it is right and just, but this committee cannot do any more on this. What we have been trying to do is sort of blaze a trail for doing something as far as we can on this. We have gone just about as far as we reasonably could. I cannot help what is not done in the other committees, and I am not going to recount the committees that are involved, but there are principally two in my opinion before which you would have to have legislation to correct the matters that the gentleman has mentioned. I hope he will pursue them, but I want him to understand that the committee has been cognizant of these and other loopholes.

Mr. JACOBS. I understand perfectly and also understand the limitation of jurisdiction of the gentleman's committee. I renew my commendation of the gentleman from Illinois and the gentleman from Massachusetts for the work that they have done. I merely take this time to bring to the attention of the committee and I would like the record to show, when I asked if anybody saw a reason why the Corrupt Practices Act should not be amended to accomplish

the purpose I have stated, no one, as far as I know, suggested that it should not be. If that is the will of this committee, it seems to me that these other committees should act with dispatch and try to bring about equity.

AMENDMENT OFFERED BY MR. BINGHAM

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

The Clerk read as follows:

Amendment offered by Mr. BINGHAM: Subparagraph (5) on page 4 is amended to read as follows: "(5) The Commission shall compile and maintain records on a continuing and current basis of all charges for the use of stations by or on behalf of each candidate for major elective office (or for nomination to such office), and no station licensee may make any charge for the use of such station by or on behalf of any such candidate unless—

"(A) such candidate, or a person specifically authorized by such candidate in writing to do so, certifies to such licensee in writing that the payment of such charge will not violate paragraph (2) or (3), whichever is applicable, and

"(B) such licensee notifies the Commission and the Commission affirms that the payment of such charge will not violate paragraph (2) or (3), whichever is applicable."

Mr. BINGHAM. Mr. Chairman, as I said during general debate, I do commend the committee for its work. I think this is an excellent bill and this amendment is simply intended to carry a step further what the committee's approach suggests.

What this amendment does is two things. It requires the Federal Communications Commission to keep a current record on TV and radio expenditures for all major candidates, that is the candidates that are referred to in the bill under section C, the President of the United States, Senators, Representatives, Governors, and Lieutenant Governors. It does not apply to the State representatives covered in the latter part of the bill so it is a manageable number of candidates.

The second thing the amendment does is to require the stations to check with the Federal Communications Commission as to whether the amount a candidate has spent has been exceeded.

Now there are two reasons for this. First of all there is under the present bill no central record of the amount of expenditures for any candidate and I think particularly in the large States and particularly in Presidential elections some such central record keeping is absolutely necessary. There will be many committees making expenditures in different parts of the country or in different parts of large States, and there will be great difficulty in keeping track of what is going on unless the Commission itself has this knowledge. And secondly I think the enforcement provided for in the present bill is weak enforcement. It requires simply that the candidate or his representative file a certificate with the station that the amount has not been exceeded. The station can accept that. The bill does not even say that the station have no knowledge that the certificate is fraudulent or false. It simply provides that the station can accept the certificate if the certificate is

filed and that is the end of the matter. I think the station should also be required to check out with the central source whether the amount has been exceeded.

This is a practical thing. It can be done with a very simple set of accounts. It would not amount to the maintenance of more than 1,500 or 2,000 accounts. Besides a phone check could be made in much the same way that credit card companies permit the checking out of a customer's balance by telephone. I think it is practical. I think it should be done.

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

Mr. BINGHAM. I yield to the gentleman.

Mr. HARVEY. Mr. Chairman, I want to congratulate the gentleman for his amendment.

As one who served on the subcommittee in helping in the drafting of this particular legislation. I will say I think this is one of the loopholes that we missed in the drafting of this bill. I think the gentleman's amendment would plug that loophole very well. I refer specifically to the requirement that the candidate or a person authorized by him must certify that the amount he is spending will not exceed the amount.

I do not think the burden that is imposed on the FCC is an insurmountable burden. I think it is a workable one. I think by and large the enforcement with this amendment would provide for the act would be very, very helpful. I want the gentleman to know I wholeheartedly support his amendment.

Mr. BINGHAM. I thank the gentleman.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I rise in opposition to the amendment.

Mr. Chairman, I would like to point out that the gentleman and I have discussed this amendment. I frankly say that the amendment is not without merit. It has some merit and it should not just be dismissed with a wave of the hand. But I think it is a little premature.

In the first place, I think it will burden this bill, which is complicated enough, as it now stands and which will go to a rather rough conference.

Second, as the gentleman himself stated, we have a bill here that will work, in the words of the gentleman himself. But it would put an added burden on the FCC and the FCC often is a whipping boy here in the Congress; we blame them for any number of things, but then come budget time we do not give them very much money. In my opinion, we do not give them enough money. They barely have staff enough to cope with what they are doing now. But, as I understand it, and I am no expert in the appropriations field, I think their projected budget for next year is only about \$25 million. They have all kinds of licenses to process and violations that come into them by way of complaint and from us here in the Congress.

I think we have built into this bill already a very good enforcement section. It is obvious and required under present FCC regulations that each station has to keep a public file and record. By public,

obviously, that means the file will be open to anybody's opponent and, of course, the opponent will be more sensitive than anybody else, and second perhaps, only to the newspapers who will be looking for a chance to expose somebody who does not live up to this act, if indeed it becomes an act.

I would say, and I would repeat—I appreciate the gentleman's well thought-out amendment, but I reluctantly oppose it and urge the committee to oppose it.

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

Mr. Chairman, at my first glance at this amendment, I thought it was all right. But this is absolutely impossible of enforcement.

Suppose you have Thursday, Friday, or Saturday when something comes up and you want to take some TV time. You go down to the station and ask for time. He cannot do anything unless this comes back to the Commission and the Commission affirm—affirm that the payment of such charge will not violate paragraph 2 or 3, whichever is applicable.

It is an impossibility for the Commission to be able to act within that length of time.

This Commission part—if you change the portion of (b) which made the Commission affirm back to the station that there has been no violation before the licensee can give this man any time on the air—this in my opinion is absolutely unenforceable and, in effect, would take away the responsibility of the licensee immediately to get that certificate from the candidate.

If he wanted to have the record made that such a person could be prosecuted for, we will say, falsely making his affidavit or his certificate or whatever it was—that would be different.

But I do not think, the way the FCC is set up—and you have 450 TV stations in this country, all of which would have to certify back that each one or all of those who are running for Senator, Representative, or Governor under our bill, before this would become legal.

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

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

Mr. BINGHAM. I thank the gentleman for yielding. As I said previously, it was my intent that this would be or could be an instantaneous check by telephone. That is not difficult. It is done constantly by the credit card companies in checking out an account where a customer has a purchase to make over a certain amount. There is a recognized procedure for the seller to be able to check in with the credit card company, involving many more people than would be involved here. The problem of keeping the accounts up to date would be no problem at all with electronic equipment, and it would not be or would not have to be a complicated type of equipment to keep some 1,500 to 2,000 accounts up to date.

I have not suggested that the affirmation by the Commission be in writing, recognizing the problem the gentleman raises; only that a telephonic check would be made, and since the accounts

would be kept up to date, a telephonic answer could be obtained.

I also point out to the gentleman that I was not proposing to change the committee's method of enforcement, which had to do with the filing of a certificate. This would be in addition to that.

Mr. SPRINGER. May I say in response to the gentleman that in paragraph (A) of the gentleman's amendment he states:

Such candidate, or a person specifically authorized specify such candidate in writing to do so, certifies to such licensee in writing.

That has to go down to the Commission, and the Commission then has to affirm that this payment will not exceed the limit.

Mr. BINGHAM. If the gentleman will yield further, paragraph (A) of my amendment does not change the language of the present bill. That is taken precisely from the existing paragraph (5).

Mr. SPRINGER. That is correct. But (B) would change it. The Commission would affirm back that what has been done would not exceed the limit. Within the last week we discovered this would be an impossibility of enforcement. If the gentleman had wanted to do this, I think the Commission could possibly handle it, but I can see that it would cause turmoil down in the Commission if we would attempt to put (B) in effect.

If the gentleman had something about prosecuting a person who would exceed the amount, that would be a different thing. But to say the Commission will have to affirm that back to the licensee would create an impossibility.

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

The CHAIRMAN. The gentleman from Rhode Island is recognized.

Mr. TIERNAN. The whole intent of the bill places on the candidate for office the burden of not exceeding the amount set forth in the act. By this amendment we would change and shift the burden from the individual candidate to the office, to the licensee, or to the FCC, and I think it would be an unreasonable burden to place upon the FCC and also the license holders of radio and TV stations, as the gentleman from Illinois has indicated.

I think the subcommittee and the full committee worked very hard on this particular provision. We also went further than what was originally suggested, in that not only funds spent by the candidate or his campaign manager but also those funds that would be spent by any other organization on his behalf would have to be included under that limitation.

So I suggest very strongly to the Members of the House that the amendment be defeated.

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

The amendment was rejected.

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

The CHAIRMAN. The gentleman from Ohio is recognized for 5 minutes.

Mr. TAFT. Mr. Chairman, I shall not take the 5 minutes, but I do want to mention to the committee that last week, viewing the Senate legislation that has

already been acted on and the legislation pending here, I challenged my opponent in the senatorial race in Ohio to agree voluntarily to the limit of 7 cents per vote, as included in this bill and in the Senate bill. He has agreed to the point at which we are setting up auditing procedures. The response to the proposal from the President and the public has been extremely favorable, and I believe that this measure should receive a similar reaction.

In the past, Mr. Chairman, to avoid possible conflict of interest because of individual and family interests and past connection with broadcasting, I have made it a practice not to vote, or to vote "present," on legislation dealing with the subject of broadcasting.

However, I have determined that the issues presented by a vote favoring final passage of this measure do not present any conflict, in my opinion, and for that reason I am varying from my usual practice and expect to vote in favor of this bill.

AMENDMENT OFFERED BY MR. GONZALEZ

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

The Clerk read as follows:

Amendment offered by Mr. GONZALEZ: On page 2, strike lines 1 through 7.

Mr. GONZALEZ. Mr. Chairman, I am sure I will not take the full 5 minutes I am entitled to on this amendment. This is a very simple amendment. It strikes out section (b) on page 2. I believe that without this paragraph this is good legislation, and it is a good bill. I believe that with this portion in the bill, it will perpetrate an injustice. It will actually carry out a practice that in theory from the lawmakers' standpoint here, discussing it in chambers and in committee, may sound good, but in practice will really work an injustice on the small individual broadcasting stations. I believe this paragraph is unnecessary to carry out the main thrust of the desired effect of this legislation, which is to put a reasonable limitation on untrammelled expenses in the course of a political campaign by the use of broadcasting media.

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

Mr. GONZALEZ. I yield to the gentleman from Texas (Mr. KAZEN).

Mr. KAZEN. Mr. Chairman, would the gentleman know of any reason why a candidate running for the U.S. Senate once every 6 years should get the same low rates that the corner drugstore and the corner grocery store who advertise day in and day out, year in and year out, and who keep that station on the air get? Does the gentleman know of any reason why the man who uses the air one time every 6 years should get that same low rate?

Mr. GONZALEZ. No, I do not. That is, in fact, the precise reason why I am offering this amendment. I think it is a manifest injustice to do this. I think we do have some radio stations in this country which are small and depend for their very existence on this perennial advertising of the corner drugstore and the corner grocery store and the bank, and so on. This paragraph makes them

open and available to any qualified political candidate for any politically elected office.

Mr. KAZEN. Mr. Chairman, if the gentleman will yield further, would the gentleman agree the main thrust of this bill is the overall limitation?

Mr. GONZALEZ. That is right.

Mr. KAZEN. And if this amendment were adopted, it would still put all candidates on an equal basis so long as we have the total expenditure limitation?

Mr. GONZALEZ. Yes.

Mr. KAZEN. Mr. Chairman, I commend the gentleman for offering this amendment. I wholeheartedly support it.

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

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

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

Mr. BARRETT. Mr. Chairman, I am shocked and outraged by the President's action in vetoing the vitally needed education appropriation bill and the extremely important appropriation bill containing funds for the Department of Housing and Urban Development.

These actions, if allowed to stand, will deal a devastating blow to the hopes, dreams, and aspirations of millions of Americans.

Millions of Americans who are in need of a decent, safe, and sanitary home. Funds to meet that need are contained in the HUD bill. Millions of our young people who are dependent on educational funds to assist in obtaining a better education—which means better jobs and being better prepared to be better American citizens.

I cannot recall any action by a President, in all my congressional career, to compare to this outrageous slap at the domestic needs of our country. The President has attempted to justify his actions on the basis that approval of these bills would lend to a budget deficit. Yet he has no hesitancy and no problem in approving hundreds of millions of dollars for the supersonic transport program, which is not only of questionable value but presents environmental problems. Nor does he have any problem approving billions of dollars for missile systems of questionable need and value.

The HUD appropriation bill that was vetoed, in my opinion, did not contain sufficient funds to meet the needs for decent housing for our citizens. Nor did it contain adequate funds to revitalize so many of our city areas. I believe that the appropriation bill for HUD needed a half billion dollars more than the bill vetoed by the President. The Congress only added \$350 million to the amount requested by the President for urban renewal. The mayors of our cities, large and small, requested an additional \$1.3 billion, which had been authorized.

I wonder if the President can justify to prospective American homeowners that they will be unable to obtain the assistance to purchase homes as provided by the Congress. The bill contained funds to reduce interest rates for home buyers; and funds to assist in providing proper housing for low-income families.

In addition to our vital HUD programs, which the President wants to cut back, the bill contains an additional \$90 million for better services in our Veterans' Administration hospitals. This has now been denied to our veterans. I wonder if the President can truly justify such action to the many American boys needing VA hospital care and treatment.

Our task is clear. We will shortly have an opportunity to express our concern for the needs of so many of our people. I urge my colleagues to vote to override these vetoes when called upon to do so.

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

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

Mr. MIZE. Mr. Chairman, I commend the gentleman. I think it is an excellent amendment. I believe it will allay the fears of a great many of us. It is an excellent amendment.

Mr. GONZALEZ. Mr. Chairman, I thank my distinguished colleague.

Mr. MACDONALD of Massachusetts. Mr. Chairman, I rise in opposition to the amendment, for a very simple reason, that no matter whether the station is large or medium sized or small, and we all bleed for the small businessman, I know that all stations get their license for the same reason, and that is to serve the public interest in the community which they service.

I happen to feel that getting the people of the community to know and to understand the position of a person who they are going to elect to a very responsible office—perhaps to a Congress which determines whether we fight a war or which determines whether to raise taxes, or a Governor who runs their State, or a person in a smaller area—is very much in the public interest of the community. I think sometimes the broadcasters themselves overlook the fact that they get a license for one reason and one reason only, which is to serve the public interest.

I submit to the two gentlemen from Texas that the presentation of candidates is one of the best services they can perform. I would think that the corner drugstore is important to everybody and furniture is important to everybody, but also letting the people hear from the persons they are going to vote for to affect a certain part of their lives is very necessary.

I understand that the National Association of Broadcasters wants this section taken out, and I can understand why. They are in business. I believe they sometimes forget they are in the business of serving the public. I hope that we remind them of that by rejecting this amendment.

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

Mr. MACDONALD of Massachusetts. I yield to the gentleman from Texas.

Mr. KAZEN. How would there be a diminished public service by the rates charged when the ultimate goal is the limitation of all expenditures?

Mr. MACDONALD of Massachusetts. The limitation of expenditures would result in a lesser amount of public exposure.

Mr. KAZEN. Before that station can

give public service it has to be in operation. It is not fair for the people who keep it in operation to have to pay for it through 5 or 6 years, and then let one man come along and have the same rate they get.

Mr. MACDONALD of Massachusetts. We are not asking for any cut rates. The gentleman is talking about a bill that has been abandoned. We are not asking for cut rates.

What this bill does is to give, in the interest of public service, the people running for political office an opportunity to be heard. They are to be heard only at the same unit cost that is sold commercially.

Mr. KAZEN. At the lowest unit cost, and that only comes from the constant advertising.

Mr. ECKHARDT. Mr. Chairman, I rise to speak against the amendment.

It seems to me if we set a maximum amount that is to be spent on advertising it becomes absolutely necessary to have some standard of rate. If we do not have a standard of rate, and we may suppose the control of the advertising medium by the incumbent candidate, he can substantially reduce the amount of TV time available to all candidates.

I mean, suppose the rates are doubled. That would mean there would be only half as much time that would be available under the \$20,000 or the \$10,000 limitation. The two go together.

This clause must remain if we are to have an amount limitation; otherwise, the amount limitation may cut the time to half.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Texas (Mr. GONZALEZ).

The amendment was rejected.

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

I rise for the purpose of asking the able chairman to clarify the meaning, as intended by him and his able committee, of subparagraph 3 on page 3. That language reads as follows:

No legally qualified candidate in a primary election for nomination to a major elective office, other than President, may spend for the use of broadcasting stations on behalf of his candidacy in such election a total amount in excess of 50 per centum of the amount determined under paragraph (2) with respect to the general election for such office.

In my State, unless one gets a majority in the first primary there is a second primary for the two highest candidates to determine the winner. In my State also the legislature, in prescribing a limitation on expenditures for one running for the House of Representatives in the Congress, has fixed an overall amount for both primaries, not for each one.

Will the able gentleman explain what is the intention with respect to this language. Does that limit apply to each of two primaries, if one must have two, or it is an overall limitation?

Mr. MACDONALD of Massachusetts. In response to the able gentleman from Florida, I would point out that line 13 refers to the matter the gentleman has discussed and says "in such election a

total amount." It is my opinion, and it was our intent, that inasmuch as the first primary is such an election, and the runoff is also a primary, that the primary limitation would apply to both.

Mr. PEPPER. To each?

Mr. MACDONALD of Massachusetts. Yes, to each. In other words, you would have 3½ cents for the first one and 3½ cents for the run-off for a total of \$10,000 for the first and \$10,000 for the run-off or a total of 7 cents and \$20,000 total.

Mr. PEPPER. I thank the able gentleman.

The CHAIRMAN. There being no further amendments, under the rule, the Committee rises.

Accordingly the Committee rose; and the Speaker having resumed the chair (Mr. STRATTON), Chairman of the Committee of the Whole House on the State of the Union, reported that that committee having had under consideration the bill (H.R. 18434) to revise the provisions of the Communications Act of 1934 which relate to political broadcasting, pursuant to House Resolution 1177, he reported the bill back to the House.

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

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

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

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

Mr. MACDONALD of Massachusetts. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were refused.

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

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

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

The SPEAKER. Evidently a quorum is not present. The Doorkeeper will close the doors, the Sergeant at Arms will notify absent Members, and the Clerk will call the roll.

The question was taken; and there were—yeas 273, nays 98, answered "present" 2, not voting 56, as follows:

[Roll No. 271]

YEAS—273

Adair	Blester	Byrne, Pa.
Adams	Bingham	Byrnes, Wis.
Addabbo	Blanton	Carey
Albert	Blatnik	Casey
Anderson,	Boggs	Cederberg
Calif.	Boland	Celler
Anderson, Ill.	Bolling	Chamberlain
Anderson,	Bow	Chisholm
Tenn.	Brademas	Clancy
Andrews, Ala.	Brasco	Clark
Andrews,	Brinkley	Clawson, Del.
N. Dak.	Brooks	Cleveland
Annunzio	Broomfield	Cohelan
Ashley	Brotzman	Colmer
Aspinall	Brown, Calif.	Conable
Ayres	Brown, Mich.	Conte
Barrett	Brown, Ohio	Conyers
Beall, Md.	Broyhill, N.C.	Corbett
Belcher	Broyhill, Va.	Coughlin
Bell, Calif.	Burke, Mass.	Culver
Bennett	Burlison, Mo.	Daniels, N.J.
Betts	Burton, Calif.	Davis, Ga.
Bevill	Burton, Utah	Davis, Wis.
Blaggi	Button	

de la Garza	Jacobs	Randall
DeLaney	Jarman	Rees
Dellenback	Johnson, Calif.	Reid, Ill.
Dent	Johnson, Pa.	Reid, N.Y.
Dingell	Jones, Ala.	Riegle
Donohue	Karth	Robison
Downing	Kastenmeter	Rodino
Dulski	Kee	Roe
Eckhardt	Kleppe	Rogers, Fla.
Edmondson	Kluczynski	Rooney, Pa.
Edwards, Calif.	Koch	Rosenthal
Eilberg	Kyros	Roth
Erlenborn	Landrum	Roybal
Esch	Latta	Ruth
Eshleman	Leggett	St Germain
Evans, Colo.	Long, Md.	Sandman
Farbstein	Lowenstein	Satterfield
Feighan	Lujan	Saylor
Fish	McCloskey	Schadeberg
Flood	McDade	Scheuer
Flowers	McDonald, Mich.	Schneebeli
Foley	McEwen	Schwengel
Ford, Gerald R.	McFall	Scott
Ford,	Macdonald, Mass.	Sebellus
William D.	MacGregor	Shibley
Foreman	Madden	Shriver
Fraser	Mann	Sisk
Frelinghuysen	Mathias	Slack
Frey	Matsunaga	Smith, Iowa
Friedel	Meeds	Smith, N.Y.
Gulton, Tenn.	Michel	Snyder
Gallfanakis	Mikva	Springer
Gallagher	Miller, Calif.	Stafford
Garmatz	Minish	Staggers
Gaydos	Mink	Stanton
Gettys	Minshall	Steiger, Ariz.
Gialmo	Mize	Stephens
Gibbons	Mizell	Stokes
Gilbert	Mollohan	Stratton
Gray	Monagan	Stubblefield
Green, Oreg.	Morgan	Stuckey
Green, Pa.	Morse	Taft
Griffin	Morton	Taylor
Griffiths	Mosher	Thompson, Ga.
Grover	Moss	Thompson, N.J.
Gude	Murphy, Ill.	Tiernan
Halpern	Murphy, N.Y.	Udall
Hamilton	Myers	Ullman
Hanley	Natcher	Van Deerlin
Hanna	Nichols	Vander Jagt
Hansen, Idaho	Nix	Vank
Hansen, Wash.	Obey	Vigorito
Harrington	O'Neill, Mass.	Waldie
Harvey	Ottinger	Wampler
Hastings	Patman	Watts
Hathaway	Patten	White
Hawkins	Pepper	Whitehurst
Hays	Perkins	Widnall
Hechler, W. Va.	Philbin	Williams
Heckler, Mass.	Pike	Wilson,
Helstoski	Pirnie	Charles H.
Henderson	Poage	Winn
Hicks	Podell	Wolff
Hogan	Poff	Wyder
Hollifield	Preyer, N.C.	Wyman
Horton	Price, Ill.	Yates
Howard	Pucinski	Yatron
Hungate	Purcell	Zablocki
Hutchinson		
Ichord		

NAYS—98

Abernethy	Gubser	Price, Tex.
Ashbrook	Haley	Pryor, Ark.
Blackburn	Hall	Quie
Buchanan	Hammer-	Quillen
Burke, Fla.	schmidt	Rallsback
Bush	Harsha	Rhodes
Cabell	Hosmer	Rivers
Camp	Hunt	Roberts
Carter	Jones, N.C.	Rousselot
Chappell	Jones, Tenn.	Ruppe
Clausen,	Kazen	Scherie
Don H.	Kuykendall	Schmitz
Collier	Kyl	Sikes
Collins	Landgrebe	Skubitz
Crane	Lennon	Smith, Calif.
Daniel, Va.	Lloyd	Steed
Denney	Lukens	Steiger, Wis.
Dennis	McClory	Talcott
Derwinski	McClure	Teague, Calif.
Devine	McMillan	Teague, Tex.
Dickinson	Mahon	Thomson, Wis.
Dorn	Marsh	Waggoner
Duncan	Martin	Watson
Edwards, Ala.	May	Whalen
Fascell	Mayne	Whalley
Findley	Melcher	Wilson, Bob
Fisher	Miller, Ohio	Wold
Fisher	Mills	Wyatt
Fulton, Pa.	Montgomery	Wylie
Fuqua	Nelsen	Young
Goldwater	Olsen	Zion
Gonzalez	Pelly	Zwack
Goodling	Pettis	
Gross	Pickle	

ANSWERED "PRESENT"—2

Fountain O'Konski

NOT VOTING—56

Abbt	Fallon	Passman
Alexander	Flynt	Pollock
Arends	Hagan	Powell
Baring	Hébert	Rarick
Berry	Hull	Reifel
Bray	Jonas	Reuss
Brock	Keith	Rogers, Colo.
Burleson, Tex.	King	Rooney, N.Y.
Caffery	Langen	Rostenkowski
Clay	Long, La.	Roudebush
Corman	McCarthy	Ryan
Cramer	McCulloch	Sullivan
Cunningham	McKneally	Symington
Daddario	Mailliard	Tunney
Dawson	Meskill	Welcker
Diggs	Moorhead	Whitten
Dwyer	Nedzi	Wiggins
Edwards, La.	O'Hara	Wright
Evins, Tenn.	O'Neal, Ga.	

So the bill was passed.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Arends.
 Mr. Rooney of New York with Mrs. Dwyer.
 Mr. Evins of Tennessee with Mr. Bray.
 Mr. Burleson of Texas with Mr. King.
 Mr. Long of Louisiana with Mr. Langen.
 Mr. Caffery with Mr. McCulloch.
 Mr. Passman with Mr. Pollock.
 Mr. Rarick with Mr. Cramer.
 Mr. Edwards of Louisiana with Mr. Reifel.
 Mr. Daddario with Mr. Meskill.
 Mr. Fallon with Mr. Jonas.
 Mr. Tunney with Mr. Powell.
 Mr. O'Neal of Georgia with Mr. Berry.
 Mr. Alexander with Mr. Keith.
 Mr. Ryan with Mr. Clay.
 Mr. Wright with Mr. Cunningham.
 Mr. Moorhead with Mr. Roudebush.
 Mr. Rogers of Colorado with Mr. Wiggins.
 Mrs. Sullivan with Mr. McKneally.
 Mr. Rostenkowski with Mr. Mailliard.
 Mr. Baring with Mr. Symington.
 Mr. Hull with Mr. Flynt.
 Mr. Reuss with Mr. Diggs.
 Mr. O'Hara with Mr. Dawson.
 Mr. Abbt with Mr. Hagan.
 Mr. Whitten with Mr. McCarthy.
 Mr. Corman with Mr. Welcker.

Mr. O'KONSKI changed his vote from "yea" to "present."

Messrs. MAHON, WATSON, and MCCLORY changed their votes from "yea" to "nay."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the provisions of House Resolution 1177, the Committee on Interstate and Foreign Commerce is discharged from the further consideration of the bill (S. 3637) to amend section 315 of the Communications Act of 1934 with respect to equal-time requirements for candidates for public office, and for other purposes.

The Clerk read the title of the bill.

The Clerk read the Senate bill.

MOTION OFFERED BY MR. MACDONALD OF MASSACHUSETTS

Mr. MACDONALD of Massachusetts.

Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. MACDONALD of Massachusetts moves to strike out all after the enacting clause of S. 3637 and insert in lieu thereof the text of H.R. 18434 as passed.

The motion was agreed to.

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

The title was amended so as to read: "A bill to revise the provisions of the Communications Act of 1934 which relate to political broadcasting."

A motion to reconsider was laid on the table.

A similar House bill, H.R. 18434, was laid on the table.

APPOINTMENT OF CONFEREES ON S. 3637

Mr. MACDONALD of Massachusetts. Mr. Speaker, I ask unanimous consent that the House insist on its amendment to the bill S. 3637 and request a conference with the Senate.

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

The Chair hears none, and appoints the following conferees: Messrs. STAGGERS, MACDONALD of Massachusetts, VAN DEERLIN, SPRINGER, and BROYHILL of North Carolina.

GENERAL LEAVE TO EXTEND

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

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

There was no objection.

MAKING APPROPRIATIONS FOR THE OFFICE OF EDUCATION FOR FISCAL YEAR 1970—VETO MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-376)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H.R. 16916, an Act making appropriations for the Office of Education for the fiscal year ending June 30, 1971, and for other purposes.

I am determined to hold the line against a dangerous budget deficit.

I am determined to hold the line against the kind of big spending that would drive up prices or demand higher taxes.

For that reason, I am today returning, without my approval, two bills the Congress has passed that would increase the Federal budget deficit by nearly one billion dollars.

1. *The Independent Offices Appropriations bill*, which includes funds for urban development, exceeds my budget request by \$541 million. I am mindful of the urgent needs of our cities, which is why my original request for urban renewal, water and sewer grants and housing subsidies was *double* the outlays in the last fiscal year of the previous Administration.

I am vetoing this bill because it would help drive up the cost of living, harming the people it is most designed to help. This kind of excessive spending would

also help cause the kind of huge deficits that drive up interest rates, which would make it impossible to speed the recovery of the housing industry.

2. *The appropriation for the Office of Education is \$453 million over my budget request.*

My request would have produced 28% more spending than in the last fiscal year of the previous Administration.

My budget asked \$3.97 billion for the educational purposes covered by this bill—an increase of \$972 million in spending over fiscal 1969. In addition, I have committed myself to ask the Congress for an extra \$350 million to fully fund the school desegregation program as soon as the Congress provides authorizing legislation.

This is only part of what the Federal government provides for education programs generally. Total spending on Federally supported education programs will reach nearly \$12 billion in 1971, the highest figure in history and substantially more than was provided for 1969. Thus the question is not one of cutting the present level of school funds. It is not even one of whether to increase school funds. It simply is a question of how much they are to be increased—and for what purposes.

Last March I stressed the urgent need for wide-ranging reforms in Federal aid to education. This bill raises the spending on old approaches that experience has proved inadequate, rather than moving boldly on the new approaches that we need—and it cuts requested funds for such forward-looking programs as drop-out prevention, educational opportunity grants and research.

My veto of both these bills is painful, but necessary to hold down the rising cost of living.

We cannot have something for nothing. When we spend more than our tax system can produce, the average American either has to pay for it in higher prices or in higher taxes.

At election time it is tempting for people in politics to say "yes" to every spending bill.

If I were to sign these bills that spend more than we can now afford, I would be saying yes to a higher cost of living, yes to higher interest rates, yes to higher taxes.

I flatly refuse to go along with the kind of big spending that is wrong for all the American people. That is why I must veto these bills which add an extra billion dollars of pressure on prices.

Taken individually, there is much that can be said in favor of every spending bill, including the ones I have vetoed.

But a President is not elected to see any one bill in isolation. He must see them as part of a whole, because his constituency is 200 million Americans.

Acting in the best interest of the nation as a whole, and concerned with the average family struggling to make their incomes meet rising prices, I have drawn the line against increased spending.

I urge the Congress to reconsider the spending course it has taken, and to place first priority on achieving our goal: a healthy economy, expanding

through peacetime activities, with reasonable price stability.

RICHARD NIXON.

THE WHITE HOUSE, August 11, 1970.

The SPEAKER. The objections of the President will be spread at large upon the Journal and the message and bill will be printed as a House document.

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I move that the further consideration of the veto message of the President on the bill, H.R. 16916, be postponed until Thursday, August 13, 1970.

The SPEAKER. The question is on the motion offered by the gentleman from Texas (Mr. MAHON).

The motion was agreed to.

MAKING APPROPRIATIONS FOR
SUNDRY INDEPENDENT OFFICES
AND DEPARTMENT OF HOUSING
AND URBAN DEVELOPMENT—
VETO MESSAGE FROM THE PRES-
IDENT OF THE UNITED STATES
(H. DOC. NO. 91-377)

The SPEAKER laid before the House the following veto message from the President of the United States:

To the House of Representatives:

I return herewith, without my approval, H.R. 17548, an Act making appropriations for sundry independent executive bureaus, boards, commissions, corporations, agencies, offices, and the Department of Housing and Urban Development for the fiscal year ending June 30, 1971, and for other purposes.

I am determined to hold the line against a dangerous budget deficit.

I am determined to hold the line against the kind of big spending that would drive up prices or demand higher taxes.

For that reason, I am today returning, without my approval, two bills the Congress has passed that would increase the Federal budget deficit by nearly one billion dollars.

1. *The Independent Offices Appropriations bill*, which includes funds for urban development, exceeds my budget request by \$541 million. I am mindful of the urgent needs of our cities, which is why my original request for urban renewal, water and sewer grants and housing subsidies was double the outlays in the last fiscal year of the previous Administration.

I am vetoing this bill because it would help drive up the cost of living, harming the people it is most designed to help. This kind of excessive spending would also help cause the kind of huge deficits that drive up interest rates, which would make it impossible to speed the recovery of the housing industry.

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My request would have produced 28% more spending than in the last fiscal year of the previous Administration.

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gress for an extra \$350 million to fully fund the school desegregation program as soon as the Congress provides authorizing legislation.

This is only part of what the Federal government provides for education programs generally. Total spending on Federally supported education programs will reach nearly \$12 billion in 1971, the highest figure in history and substantially more than was provided for 1969. Thus the question is not one of cutting the present level of school funds. It is not even one of whether to increase school funds. It simply is a question of how much they are to be increased—and for what purposes.

Last March I stressed the urgent need for wide-ranging reforms in Federal aid to education. This bill raises the spending on old approaches that experience has proved inadequate, rather than moving boldly on the new approaches that we need—and it cuts requested funds for such forward-looking programs as drop-out prevention, educational opportunity grants and research.

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Taken individually, there is much that can be said in favor of every spending bill, including the ones I have vetoed.

But a President is not elected to see any one bill in isolation. He must see them as part of a whole, because his constituency is 200 million Americans.

Acting in the best interest of the nation as a whole, and concerned with the average family struggling to make their incomes meet rising prices, I have drawn the line against increased spending.

I urge the Congress to reconsider the spending course it has taken, and to place first priority on achieving our goal: a healthy economy, expanding through peacetime activities, with reasonable price stability.

RICHARD NIXON.

THE WHITE HOUSE, August 11, 1970.

The SPEAKER. The objections of the President will be spread at large upon the Journal and the message and the bill will be printed as a House document.

MOTION OFFERED BY MR. MAHON

Mr. MAHON. Mr. Speaker, I move that further consideration of the veto message of the President on the bill H.R. 17548 be postponed until Thursday, August 13, 1970. This would have the effect of both messages being considered

on Thursday of this week, at which time, of course, a rollcall vote would be taken or further action would be taken.

Mr. Speaker, I move the previous question on my motion.

The previous question was ordered.

The motion was agreed to.

A motion to reconsider was laid on the table.

SST

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

Mr. CLANCY. Mr. Speaker, during debate over the Federal budget and national spending priorities in recent months, a wide range of statements have been made and opinions advanced in opposition to the SST. Most recently articles have appeared in newspapers concerning the findings and recommendations of the study of critical environmental problems—SCEP—sponsored by the Massachusetts Institute of Technology. Many people claim that all they know about the SST is what they read in the papers. These articles, therefore, are of great concern to me.

Although the MIT study represents an important step in the development of knowledge regarding the environmental problems associated with the activities of man, the study produced information that the scientists understand much about what might happen and very little about what actually will occur. One difficulty they encountered was lack of data; another was the great complexity of atmospheric processes which interact in various ways to adjust to changes or to new circumstances.

The study group expressed concern over the possibility of increased stratospheric cloudiness in the winter polar region due to moisture added by the SST. However, the SST Environmental Advisory Committee subsequently indicated that the probability and consequences of this effect were not large or serious. It is interesting to note that the entire contemplated SST fleet will put into the stratosphere in 1 day about the same amount of water vapor as one single thunderstorm. There are 3,000 to 6,000 thunderstorms active around the earth continuously.

In addition, two scientific groups, the National Research Council of the National Academy of Sciences, and the Office of Meteorology Research have studied the situation and report that there will be no appreciable disturbance of the earth's normal atmospheric balance even by an entire fleet of SST's making 1,600 flights per day.

The MIT group also estimated that the combustion products of the SST "are believed to form fine particles" and they compared these amounts of particles in the atmosphere with the volcano eruption of Mt. Agung in Bali in 1963. The group stated:

It is claimed that the particle formation is very small at 65,000. Very, very little is known about reactions under such conditions. One guess is as good as another.

To me, this is not a definite statement. It is true that due to the sulphur content of fuels, hydrocarbons and soot, that a full fleet of 500 SST's could possibly produce a similar effect using existing fuel. Substantial reduction of sulphur content of all fuels is practical and techniques for reducing the formation of ammonium sulfate particles are being investigated. However, it is important to note that the entire air transport fleet—including future SST's—will emit less pollution per 1,000 seat-miles than any other present mode of transportation. While automobile engines convert from 30 percent to 50 percent of their fuel into air pollutants, aircraft turbine engines convert into pollutants less than 1 percent.

I was pleased to find that the study did conclude that the carbon dioxide produced by SST's would create no special environmental problem and that an effect on the world's climate was not even likely. In addition, they felt that the effects on ozone would be very small and would be within the national variables, therefore removing doubts about possible ultraviolet radiation hazard to the earth's surface. Their calculations also removed concern that water vapor might affect the climate by accelerating the destruction of ozone.

A full 18 years of research and development will have gone into the challenge of making supersonic air transportation safe and acceptable by the time the SST makes its first commercial flight. Since the program's inception, environmental considerations have been an integral part of the program. As Secretary Volpe recently said:

All necessary research will be undertaken to insure that SST operations are environmentally acceptable.

To this end the Environmental Advisory Council was formed. This Council is composed of some of the most knowledgeable environmental specialists in the United States. The function of the Council will be to provide definitive data and unequivocal answers so that the environmental acceptability of the SST can be fully determined.

I urge that all of the Members of the House continue to support the SST program, and I sincerely hope that the majority of the Members of the other body do likewise.

UPDATING ROTC

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

Mr. WHALEN. Mr. Speaker, it is my privilege as chairman of an informal study group to announce completion of an analysis of the problems of the ROTC program and a plan for its basic reorganization.

At this time, I would like to cite five other Members who joined me as sponsors of this study group. They are JOHN DELLENBACK, of Oregon; PETER H. B. FRELINGHUYSEN, of New Jersey; FRANK HORTON, of New York; F. BRADFORD MORSE, of Massachusetts; and PHILIP E. RUPPE, of Michigan.

The following Members of Congress have joined the study group in encouraging, through the release of this paper, a careful reconsideration of the present structure of ROTC: DANIEL E. BUTTON, of New York; SILVIO CONTE, of Massachusetts; R. LAWRENCE COUGHLIN, of Pennsylvania; MARVIN L. ESCH, of Michigan; GILBERT GUDE, of Maryland; SEYMOUR HALPERN, of New York; TOM RAILSBACK, of Illinois; HERMAN T. SCHNEEBELI, of Pennsylvania; FRED SCHWENDEL, of Iowa; and J. WILLIAM STANTON, of Ohio.

Mr. Speaker, I insert herewith the text of the study titled "Updating ROTC":

UPDATING ROTC

This is a study of the problems of the ROTC program and a plan for its basic reorganization.

The sponsors of this study group paper are Congressmen Charles W. Whalen, Jr., of Ohio; John Dellenback, of Oregon; Peter H. B. Frelinghuysen, of New Jersey; Frank Horton, of New York; F. Bradford Morse, of Massachusetts; and Philip E. Ruppe, of Michigan.

Additionally, the following Members of Congress have joined the study group in encouraging, through the release of this paper, a careful reconsideration of the present structure of ROTC:

Daniel E. Button, of New York.
Silvio O. Conte, of Massachusetts.
R. Lawrence Coughlin, of Pennsylvania.
Marvin L. Esch, of Michigan.
Gilbert Gude, of Maryland.
Seymour Halpern, of New York.
Tom Railsback, of Illinois.
Herman T. Schneebeli, of Pennsylvania.
Fred Schwengel, of Iowa.
J. William Stanton, of Ohio.

With the advent and expansion of our Vietnam involvement, there has developed in our country a growing "anti-military" sentiment. College campuses are the font of much of this feeling. The most convenient and accessible target for student wrath has been, of course, the college-based Reserve Officers' Training Corps. It was inevitable, therefore, that attacks—verbal and sometimes physical—would be mounted against ROTC programs and facilities.

Regardless of what one may think of our Indo-China commitment, no one seriously questions the need for a post-war military organization. To propose that we leave ourselves defenseless by scrapping our Army, Navy, Marines and Air Force would be foolhardy. Thus, a supply of officer personnel must be maintained following the termination of Vietnam hostilities. Further, in keeping with our Nation's traditions, it is desirable that a substantial portion of this officer corps be civilian-oriented.

It is for this reason that we believe that the ROTC program should be continued. It is our firm belief that ROTC has served our country well. We are convinced that its basic concept is sound, workable, and adaptable to the university communities of the 1970's.

We realize that there is much valid criticism of ROTC which deserves careful consideration. In fact, many universities now are in the process of reviewing their respective programs. Nevertheless, it has become apparent to us that the most appropriate place for re-evaluation is the Congress. The problem is too fundamental and universal for satisfactory solution by individual universities. Their actions do not affect the structural inadequacies which exist in the national program. Therefore, we have developed an alternative plan for the consideration of the Congress.

Our plan is based on the assumption that ROTC-trained officers are vital for national security. It assumes that ROTC needs to

undergo a major overhaul in both form and function; it maintains that ROTC is an inexpensive and efficient means of supplementing the efforts of the service academies to produce the best qualified junior officers possible; additionally, it assumes that the current, changing draft situation, with the introduction of the lottery system and the discussion of the possibilities for either an all-volunteer armed force or a broadened national service program, will have a marked effect on the future of ROTC.

THE IMPORTANCE OF ROTC

ROTC, which has proven to be one of America's major sources of military officers, must remain an integral part of our national defense structure. Its importance can be measured in three areas: the social integration of junior officers, the number of officers produced, and the cost/utility aspect of the ROTC program.

The Citizen-Soldier: The concept of the citizen-soldier has been a constant theme in American history from the state constitutional debates of the 1780's to the current discussion of an all-volunteer armed force. Americans have desired military officers who are aware of both civilian and military problems and who are able to function in both types of environments.

ROTC assures balanced training for the officer corps. When combined with rigorous military training, the civilian university background produces an officer corps with expertise in providing for our national defense, yet sensitive to the many non-military concerns of the American people.

The Number of Officers Produced: A second reason for retaining ROTC is its important capacity to provide the requisite number of junior officers. In fiscal year 1970, for example, ROTC-commissionings accounted for approximately 43% of all new military officers. ROTC units produced 63% of all new Army second lieutenants in FY 1970, and approximately 39% of new Air Force officers. The total number of young men commissioned through ROTC programs in FY 1970 exceeded 23,600 (See Appendix I.)

The Cost/Utility Aspect: A third reason for maintaining a ROTC is dramatized by the figures just cited. Clearly, staggering costs would be involved in expanding existing OTS/OCS facilities, or building new service academies in order to accommodate the more than 20,000 officers commissioned by ROTC each year. Since the necessary facilities are available on campuses, continued reliance on a restructured college program would provide the military with a substantial number of qualified junior officers at the lowest possible cost.¹

THE NEED FOR ROTC REFORM

ROTC is in need of structural reform for three fundamental reasons which are not clearly visible from the vantage point of the college campus.

The Need for Highly Skilled Officers: Whereas ROTC originally was able to provide all the training necessary for a young man to be a technically competent officer, today's ROTC programs require extensive supplementary training to produce an officer equipped technically for the military of the 1970's. Our model assumes that the foundations for technical proficiency should be

much more completely mastered during ROTC.

The current ROTC plan was conceived in the "preparedness" debates preceding America's entrance into World War I. At that time, the armed forces had been caught short-handed, and a major concern of the Congress in 1916 was the restructuring of the armed forces for America's potential involvement in the European conflict. Within the context of this debate, the concept of the Reserve Officers' Training Corps was developed. As Representative Kahn, floor manager of the bill, remarked in debate, "The struggle in Europe has demonstrated beyond question that one of the greatest necessities toward thorough preparedness is a trained force of officers. . . . No doubt [the Reserve Officers' Training Corps] will furnish the country a large force of additional officers to meet the requirements of the service in case we should ever become involved in war."²

The War Department advocated the creation of ROTC, citing the recruitment and training of large numbers of officers as the chief advantage of such a program. In testimony before the House Committee on Military Affairs, Secretary of War Lindley M. Garrison said that, through ROTC, the military could ". . . Obtain large numbers of proper material from the many schools and colleges throughout the country that either have or will include proper military courses standardized under regulation of the War Department . . . Thousands of young men will be graduated from these institutions each year after we get the system in complete operation. They will furnish as fine material as any foreign army ever had for this purpose."³

Since 1916, America's military manpower needs have changed considerably. Nuclear strike forces and special forces units have become more central to our defense posture than the kinds of mass forces which waged the two world wars. The evolution of military strategy has imposed a higher standard in the technical skills required by our nation's officer corps. The 1964 ROTC Revitalization Act, however much it did to improve the program by increasing financial benefits and improving the caliber and flexibility of the classroom training program, failed to reconsider these basic changes in technical requirements. We believe that such a re-evaluation should be paramount in discussions of the future of ROTC.

The Changing Draft Situation: In addition to preparedness, there is a more immediate need for reform. Recent changes in the draft laws will affect ROTC recruitment. The introduction of the draft lottery and the possibility of an all-volunteer armed force could reduce the ROTC enrollments considerably. One study indicated that approximately 40% of first-assignment officers commissioned through ROTC joined to avoid Selective Service. As college students become more certain about their military future, the tendency to use ROTC as a safety-valve will diminish.

Students with "safe" Selective Service numbers who choose to serve in the armed forces as officers will continue to be free to enroll in the ROTC program and receive its many benefits, including the satisfaction of serving our country. For those students who enter college with definite military obligations in their future (i.e., "unsafe" draft numbers) and who choose to fulfill this commitment as officers, the ROTC program will also be available, with the added guarantee that they will be able to complete college before entering the service. These

students, too, will benefit from the compensation received by ROTC cadets.

ROTC and an All-Volunteer Armed Force: The possible creation of an all-volunteer armed force would present ROTC with an entirely new recruitment problem. Without the pressure of a Selective Service System, ROTC would very likely suffer a sharp enrollment decline (for projected enrollment figures, see The President's Commission on an All-Volunteer Armed Force, pp. 186-188). Nevertheless, it could become the lifeline of any all-volunteer military system adopted by the Congress. Because ROTC itself is a volunteer force, it would continue to serve as an important part of the machinery of officer production. Additionally, it would assure that the military would be provided with the flow of college-trained officer candidates required by the technical demands of the military in the future. To meet these anticipated recruitment problems, ROTC must offer attractive benefits. We offer our proposal in hopes of prompting the needed change.

Campus Problems: In addition to these fundamental problems of national preparedness, one must take into account the existence of campus grievances concerning the present ROTC structure. Among the most persistent sources of criticism are the granting of academic credit for military science courses and the designation of academic rank for ROTC instructors. Some campuses have experienced disruptions directly attributed to the visibility of ROTC facilities. Moreover, there is concern that the scholarship funds now available for ROTC students are inadequate. Finally, administrative inefficiencies result where ROTC detachments are separately maintained on individual campuses with small cadet enrollments, particularly in areas having a high concentration of colleges and universities.

THE RESTRUCTURING OF ROTC

Under current ROTC procedures, students enlist in either the two- or the four-year program, attend military science courses and participate in drill during the academic year. Advanced students spend part of one summer camp prior to commissioning at graduation. Our proposal would involve a complete restructuring of ROTC.

We propose the substitution of three ten-week summer institutes for the existing ROTC program. These institutes would be held at military bases and perhaps at selected campuses and the service academies. They would be conducted between the cadets' freshman-sophomore, sophomore-junior, and junior-senior years of college. While attending these ROTC institutes, the students would receive an adequate salary. In addition, they would be living as potential junior officers, probably with the added advantage of subsidized food and uniform allowances. The compensation plan could be arranged to continue throughout the academic year, thereby providing students with funds available for tuition or personal expenses. We also propose, as did the Benson Report,⁴ an increase in the number of ROTC tuition scholarships.

These summer institutes would be divided into three parts. The first would be a brief, two-week physical training session, in which the basic physical skills would be sharpened along with the necessary drill. The remaining eight weeks would then be divided into two four-week semesters of concentrated military science course work, coupled with practical demonstrations, where applicable. These sessions could include two non-credit courses per four-week semester, one class in the morning, the other in the afternoon.

In these summer institutes, the cadets would study the prescribed military science

² House debates, 64th Congress, 1st Session, p. 8404.

³ Hearings before the Committee on Military Affairs, 64th Congress, 1st Session, pp. 12-13.

⁴ Report of the Special Committee on ROTC to the Secretary of Defense (Benson Report), September 22, 1969.

¹ When one considers the total number of cadets enrolled in the various stages of the ROTC program, the cost-benefit factor is increased further. In FY 1970, 155,946 individuals were part of the three ROTC forces. While this represents a drop of 56,500 cadets below FY 1969, the new draft lottery system and the conversion of 49 units (39 Army, 10 Air Force) from compulsory to elective ROTC between the academic years 1968-69 and 1969-70 are partly responsible for this decline.

courses. By conducting these courses at military bases or the service academies, advantage could be taken of the military laboratory facilities which would be available. Since each of the concentrated courses would be the equivalent of what is now one semester's work in ROTC, and since the students would take four of these courses each summer for three years, they would be exposed to the equivalent of six full years of military science courses (12 semesters). Under the present system, a student's academic work in the military science field totals only eight semester courses. By pursuing their military science courses during the summer, students would be free to take additional academic courses during the regular academic year. These courses could enrich the student's major, broaden his background in fields which would better equip him for his future in the military, or simply satisfy his own cultural and intellectual interests. In addition, with purely military training—including drill—transferred to the summer institutes, the students would have more time in which to pursue worthwhile extra-curricular activities.

During the academic year, ROTC would maintain an office on campus to coordinate activities. This office could be staffed by one or more individuals, depending upon the number of students from that campus enrolled in the program, plus clerical staff. With a title such as counselor to ROTC students, this person would act as a liaison, coordinating extra-curricular activities, arranging for lectures, tours and other functions, and serving as a general advisor to the ROTC students. In areas containing a relatively high concentration of colleges and universities with ROTC units, or in areas where ROTC enrollment is small, a central ROTC office could be established. The advantages would include reducing duplication of effort, maintaining maximum contact, and eliminating the controversial faculty affiliation of present ROTC instructors.

A student enlisting in the ROTC program would be given the option of resigning at specified times should he find military life not to his liking. There would also be a point beyond which the commitment is definite. The military, however, should remain flexible enough to accommodate a student's post-graduate plans if they are likely to be beneficial to both the student and the Nation. With either the changed draft situation, the introduction of an all-volunteer armed force, or a broadened national service program, moreover, the anticipated drop-out rate would be small, because enrollment in ROTC would become a self-selecting process: without the pressure of forced military service, young men would enroll in ROTC because of their interest in pursuing a military career, not because they were avoiding the draft.

Provisions could also be made to permit students to enter the program either after their first or second year of college. Such students would be required to complete the basic training program after graduation, but they still would have the advantage of participating in the benefits of ROTC while in college.

ADVANTAGES OF THE ROTC PROPOSAL

The restructuring of ROTC would provide many general benefits to all three groups involved in the program: the students, the military and the university.

Student Benefits: For the students, one of the major advantages would be financial. The pay received for attendance at the summer institutes plus the year-round stipend would help defray tuition costs and living expenses. In addition, the increase in scholarships would provide needed support for greater numbers of students.

The new ROTC program would provide the student with increased flexibility. By undergoing his military science training in the

summer, the student would be free to take the equivalent of eight additional courses of university work. The advantages of this extra study are obvious.

Important also would be the ability of the student to coordinate his selective service obligations with his college plans. If the student finds that he will have a definite military commitment because of his draft number, he may choose to enroll in ROTC, complete his college education, and then serve in the military.

Students would also have the opportunity to adjust to military life, including life as an officer, prior to their making irreversible commitments. If, prior to a certain stage, the cadet finds that he cannot adjust to a military environment, he would have the option of resigning without substantial sacrifice of time.

Finally, the conducting of summer institutes on military bases or the service academies and perhaps selected campuses, and the rotation of attendance at these institutes would provide the cadets with an opportunity for limited summer travel.

Military Benefits: The military would benefit enormously from this restructuring of ROTC. First, they would continue to recruit a broad-based officer corps. The increased number of scholarships and additional pay would attract many students, including some who could not otherwise afford a college education.

By virtually eliminating on-campus ROTC operations, the military would cut costs and reduce unnecessary duplication of function. In addition, the elimination of the compulsory two-year program which now exists at some land grant institutions would remove an inefficient operation which is already being phased-out by many schools. (In FY 1970, for example, 49 compulsory ROTC units were converted to elective programs.)⁵

Because ROTC cadets would enroll as a result of interest rather than fear of being drafted, the resignation rate would be reduced and the military would be better able to judge the number of officers available for active duty. In addition, because of the many incentives there would be increased motivation among the cadets who are commissioned.

The increased number and concentration of military science courses would also strengthen our defense forces. The intensified training would permit a higher degree of specialization, certainly a necessity in today's increasingly sophisticated military establishment.

University Benefits: Not only the students and the military, but also the universities would benefit from the changed ROTC program. First, the increased scholarship programs and stipends would ease part of the burden on the college financial aid office. But more significant would be the elimination of certain basic problems inherent in the current ROTC program.

Students and faculties have challenged the academic credit attached to ROTC military science courses. They claim that these courses do not meet their institution's standards of academic excellence. There is widespread dissatisfaction with granting the title "professor" to which ROTC commanders are entitled by contract. This contractual obligation has been unsatisfactory to many educators who feel that the matter of academic rank would best be left to the host institutions, not the Department of Defense.

By divorcing military and academic requirements, our reorganization proposal

⁵ The total number of ROTC units rose between the academic years 1968-69 and 1969-70, from 268 to 283. In addition, the Department of Defense has applications from 42 colleges and universities, requesting the establishment of new ROTC units.

would eliminate both of these sources of hostility. Under our plan a university, if it chooses, can provide its undergraduates with the opportunity to become reserve officers. In order to receive his commission, however, an ROTC enrollee must successfully complete military-prescribed and military-administered courses conducted off-campus. The cadet receives no academic credit for these subjects, nor will his ROTC grades be computed as part of his cumulative scholastic record. The removal of credit for military science courses would provide the military with increased flexibility in the structuring of the summer institute curricula. At the same time, the controversy concerning the scientific and academic value of present ROTC courses would be eliminated.

Another source of campus dissatisfaction with the present ROTC system is the visibility of both the ROTC uniform and the drill. By conducting training in the summer institutes, this inflammatory source of campus unrest would be removed. Obviously cadets who might choose to wear their uniforms for extracurricular ROTC functions would be free to do so.

Thus, the removal of ROTC courses and drill to summer institutes could well be a significant step in cooling the very volatile situation that has developed in recent years concerning the military's role on the college campus.

REBUTTAL TO REJOINDERS

In the Benson Report⁶ an analogous proposal was presented to the Department of Defense for the restructuring of ROTC. It was rejected on four grounds:

- (1) the status of the two-year programs would be jeopardized;
- (2) the civilian aspects of the ROTC program would be lost;
- (3) the visibility would decrease;
- (4) the motivation of the cadets would decrease.

After careful consideration, we submit that these four points are not valid in the context of our proposal:

(1) When the lottery system or an all volunteer armed force or a broadened national service program are coupled with the changing strategic and personnel needs of the modern military establishment, the compulsory two year ROTC program becomes obsolete. Many schools have discontinued it, among them the 49 units that switched to elective program in FY 1970 alone. The basic concept behind the two year program was that the United States should maintain a large potential supply of reserve officers. Current military requirements and the highly technical role that officers must now assume make the effectiveness of college students with only two years of ROTC training highly questionable. In fact, those draftees who have completed two years of undergraduate ROTC still must complete the full basic training cycle. Thus, it seems much more logical to abandon this ineffective program and concentrate on training the needed officers through comprehensive summer institutes.

(2) The civilian aspects of ROTC would be heightened by our ROTC proposal. Cadets would continue to have four years of college training, but with the addition of eight semester-long civilian courses. Their education would be completed in a civilian environment, and they would come to know their fellow officers in such a context.

(3) While critics contend that the visibility of ROTC would be drastically impaired if drill and instruction were removed from the campus, high visibility of these two aspects is in part counter-productive given the current realities of campus life. Drill and

⁶ Report of the Special Committee on ROTC to the Secretary of Defense (Benson Report), September 22, 1969.

classroom military instruction, not lectures and socials, are among the causes of student unrest. The extracurricular activities would still continue. Moreover, the ROTC counselor would be available for all students to consult, and thus, he could inform any interested individual of the benefits of the program.

(4) Given the changes in the Selective Service System and the many increased benefits of our ROTC proposal, it is difficult to conceive of any decrease in motivation of ROTC cadets. Indeed, the restructuring of ROTC should only increase the motivational factors associated with joining the program, and, at the same time, increase the respect for ROTC from other segments of the academic community.

APPENDIX I

SOURCES OF MILITARY OFFICERS

	ROTC	OCS/OTS	Military academies	Direct commissions
Army.....	16,700	8,484	710	4,143
Navy.....	2,213	4,516	767	2,704
Air Force.....	4,722	4,571	765	2,337
Marines.....		1,676	105	
Total.....	23,635	19,247	2,347	9,174

¹ Estimated from enrollment figures.
² Estimated on basis of 9-month totals; complete figures not yet available.

ROTC ENROLLMENTS

	Fiscal year 1969	Fiscal year 1970 ¹
Army:		
MS 1.....	72,481	47,084
MS 2.....	41,390	28,192
MS 3.....	19,439	16,396
MS 4.....	17,671	18,033
Officers commissioned.....	16,306	16,700
	Fiscal year 1969	Fiscal year 1970 ²
Navy:		
NS 1.....	2,582	2,117
NS 2.....	2,548	2,263
NS 3.....	2,422	1,722
NS 4.....	2,014	2,162
NS 5.....	596	612
Officers commissioned.....	815	2,213
	Fiscal year 1969	Fiscal year 1970 ³
Air Force:		
AS 100.....	25,966	16,833
AS 200.....	14,628	10,176
AS 300.....	5,235	5,111
AS 400.....	5,444	5,245
Officers commissioned.....	4,936	14,722

¹ 39 institutions converted from compulsory to elective ROTC.
² Estimated from enrollment figures; figures not yet available.
³ 10 institutions converted from compulsory to elective ROTC.
 Source: OASD (M. & R.A.).

DOES THE NIXON ADMINISTRATION BACK MARRIAGE BETWEEN THE SAME SEXES?

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

Mr. ZABLOCKI. Mr. Speaker, I was shocked and dismayed to read in this morning's paper that a high-ranking official of the administration, if accurately quoted, has made a speech advocating that marriage between the same sexes be permitted and declares that laws forbidding such liaisons are unconstitutional.

The official was Mrs. Rita E. Hauser, U.S. Representative to the United Na-

tions Human Rights Commission. She made her statement at the meeting of the American Bar Association now being held in St. Louis.

Mrs. Hauser's speech represents for me an example of the moral rot which is infecting our Nation. It is disturbing, indeed, to learn that such nonsense is coming, not from academicians or wild-blue-yonder radicals, but from a person in a responsible position with the administration.

Does the Nixon administration support Mrs. Hauser? Is her speech a trial balloon for some new legislative initiative by the administration to create new forms of marriage?

Surely we must look to Vice President AGNEW or some other high-ranking voice near the White House to confirm or deny support to Mrs. Hauser's recommendations.

Further, I wonder if Mrs. Hauser or those in high places who support her position have given careful consideration to the social implications of sanctioning unnatural liaison. The effect on public morals in this country authorizing homosexuality would, in my view, be catastrophic not to say repulsive.

It is my hope that my colleagues on both sides of the aisle will read Mrs. Hauser's remarks as reported in this morning's press and will express their concern.

The article follows:

[From the New York Times, Aug. 11, 1970]

MARRIAGES ARE URGED BETWEEN SAME SEXES

ST. LOUIS.—Mrs. Rita E. Hauser, the United States Representative to the United Nations Human Rights Commission, said today that laws banning marriages between persons of the same sex were unconstitutional.

Speaking on "Women's Liberation and the Constitution" at a section meeting of the American Bar Association, Mrs. Hauser said that such laws were based on what she called an outdated notion that reproduction is the purpose of marriage. She argued that overpopulation had made this rationale outmoded.

Limiting reproduction has now become the social goal, she said, "and I know no better way of accomplishing this than marriage between the same sexes."

DECADENT UNITED NATIONS?

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

Mr. GROSS. Mr. Speaker, let me say to the gentleman from Wisconsin (Mr. ZABLOCKI) that I agree completely with his denunciation of the advocacy of males marrying males, and females marrying females as proposed by an official of the United Nations. I would ask him only one question: What else would you expect from the decadent United Nations?

ALLEGED OVERCHARGING OF GOVERNMENT BY PRIVATE BUSINESS IN MILITARY CONTRACTS

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

Mr. WHITE. Mr. Speaker, I wish to share with you the results of an investi-

gation which I requested of the Comptroller General of the United States regarding alleged overcharging of this Government by private business in military contracts.

Approximately 1 year ago one of my constituents brought to my attention an apparent flagrant overcharging to the U.S. Government by several private businesses for the manufacture of a lanyard to activate the safety switch for the NQN-33 Target missile. This lanyard is constructed of common clothesline, approximately 6 feet in length, with a simple catch at one end and an aluminum handle, 3 inches long at the other end. Distributed along the line are four 3-inch square red cotton flags. I was informed that the Government was charged \$22 for this item which could be made for \$1.75 including labor and a few simple items from a hardware store. I also requested the General Accounting Office to investigate this matter. I learned that several purchases of this item were made by the Defense Department, Army Missile Command, and at one time the cost had been as high as \$42.25.

Based on this information, I requested the Comptroller General to make further investigations of other items which had been pointed out to me as excessively expensive to the Government.

I am pleased to inform the Congress that action has been taken by the Comptroller General. One of these items, a radio receiver, purchased from an electronics firm, returned a 57-percent profit while the original contracts as submitted to the Government indicated a 10-percent profit. On this one contract the overcharge to the Defense Department was nearly \$10,000. The Army Missile Command is presently initiating action against this firm to recoup the excessive charge and is reviewing all contracts made by this particular firm with the Government.

Mr. Speaker, much has been written and spoken on the subject of cost-overruns in such major programs as the C-5A's, and so forth. Prominent Members of this body and of the Senate have, year after year, pointed out to the Congress and to the Nation excessive charges made by private industry to the Government. I am not aware of any legislation enacted to directly control unconscionable profiteering against the U.S. Government. I propose to introduce legislation which would render severe penalties on manufacturers who would take unconscionable advantage of the Government and of the taxpayers' dollar. We are striving for fiscal responsibility; and if we are to continue this quest, we must take action to see that the Government is not charged excessive costs for items it purchases. Each time the Government pays excessive charges, it encourages inflation, and dishonesty.

Thank you.

SCREENING SELECTIVE SERVICE REGISTRANTS

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

Mr. MESKILL. Mr. Speaker, today I rise to introduce legislation which is of great personal interest to me as well as to many of my colleagues, namely the establishment of a Commission to review the conduct and procedures used in screening selective service registrants.

Twenty-three Members from both sides of the aisle have joined me in this effort.

As perhaps some of my colleagues recall, last September I addressed this Chamber with regard to one of my constituents, Pvt. David L. Swanson, who committed suicide while a member of the armed services. The suicide was not a spur-of-the-moment action, the result of a momentary case of severe depression. In fact, Private Swanson had tried to kill himself twice previously, but each time he was returned to active duty after brief observation.

Private Swanson wrote to me personally, relating his suicide attempts, his general frustration, and the brutality with which the Army had responded to his condition. My office, after realizing the seriousness of the situation and comprehending that the young man was not simply threatening suicide, repeatedly contacted the Army officials at Fort Dix. We advised them of the suicide attempts, alerting them to the suicidal state of Private Swanson, and asking them for continuing psychiatric counseling for the boy. The responses to my letters and calls were routine letters of acknowledgement and a promise of a report.

Army psychiatrists acknowledged that Private Swanson had showed "a long-standing personality problem," that he was "emotionally unstable" and subject to "feelings of deep depression." The Fort Dix medics added it was their opinion that "with time and leadership, he will be able to adjust to military life and perform satisfactorily." And they brushed off his two prior wrist-slashing episodes as mere suicidal gestures.

Private Swanson was successful in his third suicide attempt.

At Fort Dix the Army command stated they were satisfied that Swanson's case had been handled correctly. Their justification was that after Swanson's first suicide attempt he had twice been interviewed by "social work technicians" and three times by psychiatric officers, all lasting a minimum of 30 minutes, and that Private Swanson also had been "counseled" at length by his first sergeant, company commander, and chaplain.

I wrote to the Secretary of the Army, demanding an immediate investigation into the circumstances surrounding the death of Private Swanson. The Army refused to accept any blame for his death and, more importantly, failed to indicate what steps would be taken to prevent future incidents of this nature.

It is my belief that the Army was grossly negligent and responsible for the death of Private Swanson, for failure to adequately screen this obviously disturbed young man.

After I called attention to this tragic occurrence I was contacted by a number of my colleagues, advising me of many similar instances of boys who had

been inadequately tested mentally and physically before induction. One of my colleagues wrote:

The doctors who pass on draftees seem to care only whether the boy can breathe or not.

The cases brought to my attention included an Army specialist, suffering from epilepsy and with a case history of polio, being ordered to Vietnam; another who was 100 percent deaf in one ear was also ordered to Vietnam.

A colleague told of a case where a recruit failed the initial physical fitness test, with a score of 67 out of a possible 500—58 points below the minimum acceptance score. This young man, instead of being rejected, was assigned to a physical conditioning platoon for closely supervised remedial physical training. A month later he was finally recommended for a medical discharge.

Another recruit encountered difficulties in the training program and his Congressman, after inquiring, received a letter from the Marine Command stating:

It is suggested that [he] apply himself to his duties with the goal of improving himself as a Marine and as a man. By so doing, he will establish a firm foundation for his future life.

Overlooked was the fact that some of our young men are simply not cut out to be military men, due to either physical or psychological reasons. It might be noted here that the young man in question eventually received a medical discharge and a month later entered a VA hospital for an operation for a back problem.

Congressmen informed me of constituents who were termed "emotionally unstable" and who had made suicidal gestures but who were still in the service, usually in the stockade as punishment for their inability to adjust.

I find incredible this portion of a letter from a colonel in the Marine Corps to one of my colleagues:

The determination of a Marine's suitability for military service is a command responsibility, not a medical one. Medical findings constitute only a part of the total information to be evaluated; in themselves, these findings do not warrant an administrative discharge. There must be other convincing evidence that a Marine is unable to adjust to military service and is clearly unsuitable . . . Commanding officers are always reluctant to recommend a Marine for discharge as unsuitable unless his record clearly requires such action or until he has been afforded a reasonable opportunity to overcome his deficiencies.

I fear that this attitude pervades all of our armed services. Private Swanson was given this "reasonable opportunity to overcome his deficiencies." We know what occurred—his tragic death.

It is not the duty of the armed services to restructure the personality of an individual or to build men who are physically deficient. At times counseling and physical training are in order, but the purpose of our Armed Forces is to produce fighting men, not to try to cure personality or physical disorders.

I wonder how many of our tough drill sergeants consider it standard procedure

to regard almost everyone reporting on sick call as a faker who is merely trying to get time off from duty. All too often these medical decisions are left to men who have no training or background whatsoever in medicine. In the case of mental or emotional illness, where there are no broken bones or gushing blood, we can imagine the commanding officer finding it even more difficult to believe that the soldier is really sick and in need of help.

Mr. Speaker, as I am sure you know, the Comptroller General of the United States has recently issued a report on the discharge of military enlisted personnel because of preservice physical defects. According to this report, every year the armed services take in 20,000 recruits who already have disqualifying physical ailments and who must be promptly discharged. The General Accounting Office estimates costs of pay, allowances, uniforms, and travel at \$17.9 million during fiscal 1969 alone for men discharged for prior defects. This cost estimate does not include the wasted training costs.

Some of the disqualifying defects missed by medical examiners at induction stations, according to the GAO, have been an Air Force recruit's surgical scar from removal of one kidney and the recruit's statement on his induction papers that he had only one kidney; a Marine Corps recruit's loss of part of his left thumb as well as his statement on his enlistment papers that he had lost part of his thumb; and another recruit whose right leg was 1 inch shorter than the left because of a crippling polio attack that had deformed his hip, thigh, and calf. Some of the disqualifying conditions were less obvious, such as muscles missing at birth from the left side of an Air Force recruit's body.

It appears that our Armed Forces are speeding young men through the induction process without giving the proper consideration to documents from private physicians or statements from the men themselves.

The discharge rate of about 20,000 men per year represents 2.3 percent of all those entering the various branches of the Armed Forces as draftees or volunteers. In 1968 the GAO found 40,200 discharges for prior defects during a similar 2-year period. The report said the number of such discharges held steady during both periods at 2.3 percent of all those inducted. While this figure sounds low, I suggest that those discharged because of prior defects represent only a portion of those inducted with prior defects.

The fact that the overall rate of such discharges has not changed indicates these examinations must be drastically improved.

The cost to the country is deplorable. But more importantly, the psychological and personal hardships to the men and their families caused by inadequate examinations cannot be tolerated.

From the incredible set of circumstances surrounding the Swanson death and the other cases that have been brought to my attention, it is apparent that there is need for improved physical and mental preinduction examinations.

It is obvious that many of the problems which caused these cases existed prior to entrance into service.

Congressional attention must be directed toward the elimination of the abuses which have recently tarnished America's fine tradition of military training and service.

I am convinced that the best way to prevent recurrences of such incidents as the unnecessary death of Private Swanson is to improve the screening procedure at Armed Forces examining stations. I believe Congress has a definite oversight function to perform in this area. Congress must initiate action to correct and eliminate any defects in the present screening process to help prevent the induction of young men who are neither physically nor emotionally fit for military service.

In accordance with our determination to maintain the highest quality of recruit training in our service, I have drafted legislation to establish a Commission on the Medical and Psychological Fitness of Selective Service Registrants. The drafting of this legislation has been guided by a sincere concern over the quality of training our servicemen are receiving. The sole purpose of this legislation is to upgrade the military induction process and to insure maintenance of proper standards.

The Commission would be composed of 11 members to be appointed by the President: Six physicians, at least three of whom are psychiatrists, engaged in private practice; one civilian who is a professional social worker; and four officers who are engaged in providing medical services in the Armed Forces.

The Commission would be authorized to undertake a thorough investigation of the adequacy of the physical and mental examinations conducted by the Armed Forces and the manner in which such examinations are administered with respect to registrants under the selective service laws. The Commission would have the authority to hold hearings, take testimony, and receive evidence, as well as secure directly from any department or agency of the United States any information deemed essential to fulfilling its mandate. This Commission would review the present physical and psychological standards for entrance into the military service and investigate testing procedures to determine whether better induction standards can be devised, especially to uncover potential cases of suicide.

I would also hope that the Commission might investigate whether there is sufficient reason for maintaining different physical standards for draftees and volunteers. Presently a volunteer may be rejected for physical reasons, but he may still be drafted because the draft standards are lower.

At the conclusion of its year-long investigation the Commission shall advise the President of the United States and the Congress of its findings and offer recommendations for the administrative or legislative action it deems appropriate.

This course of action is intended in no way to be a witch hunt. Rather, it is in-

tended to correct general deficiencies in the overall induction process.

Our servicemen are charged with the responsibility of protecting and insuring our welfare. We owe them no less. I urge speedy hearings on this legislation.

I am inserting several news stories on the tragic incident that prompted this legislation I am introducing today. These articles and the text of the legislation follow:

[From the Hartford Courant, Sept. 24, 1969]
MESKILL THINKS SO: ARMY TO BLAME IN GI'S DEATH?

(By Robert Waters)

WASHINGTON.—U.S. Rep. Thomas J. Meskill Tuesday charged gross negligence in the suicide of a New Britain Army private who had earlier attempted twice to kill himself and had warned Meskill he wouldn't fail.

Meskill demanded that Army Secretary Stanley Resor undertake a full investigation into the death of 21-year-old David L. Swanson.

Meskill said aides in his Washington office here had written and telephoned officials at Fort Dix, N.J. about Meskill's concern that "this boy wasn't faking in his suicidal state of mind."

The New Britain Republican said that Swanson reported he had received only two five-minute sessions with psychiatrists. The young soldier said they had been of "no help."

"David Swanson asked for help and did not get it," Meskill said in a letter to Resor.

FATHER FINDS BODY

Swanson's body was found Sunday by his father, Arvid Swanson, at the family's home at 928 Farmington Ave. New Britain Medical Examiner Charles Leonhardt said death was caused by an overdose of a sedative. Dr. Leonhardt ruled the death a suicide. The funeral was Tuesday.

Meskill said the young man had been in basic training at Fort Dix. It was not known here Tuesday whether he was home on military leave at the time of his death or for some other reason.

Meskill said his contact with the youth started Aug. 25 when he received a letter from the young man's mother saying that he had attempted suicide and asking for Meskill's help.

Meskill said he "immediately requested that Pvt. Swanson be given psychiatric attention."

Three days later, Meskill said his office received a letter from the young soldier himself. The letter to Meskill from the recruit asked for help in gaining a discharge.

"I hate it here," he wrote. "... I can't take any more of the Army."

Meskill said he complained that he had been forced to eat cigarette butts, hadn't been permitted to go to church, was suffering from arm numbness and had passed out.

LIKE A JAIL

"It's like a jail here," wrote the soldier as he told Meskill he was certain he would try suicide again.

"I'm no good to anybody, including myself," he wrote.

On Sept. 11, said Meskill, he received another letter from Swanson—apparently after a second suicide attempt. "I don't even remember trying to kill myself a second time," he wrote in the second letter to Meskill.

Meskill said that in addition to his request for psychiatric help for Swanson, he had also requested a full health and welfare report on the soldier.

On Sept. 8, three days before his final letter from Swanson, Meskill said he received a letter of acknowledgement from the

Army stating that he would receive a further report from the surgeon at Ft. Dix.

Meskill said he never received any additional information from the Army.

In his letter outlining the facts to the Army secretary and asking for a probe, Meskill commented:

"It is too late to help now. He was successful in his third suicide attempt."

[From the Springfield Daily News, Sept. 24, 1969]

MESKILL CALLS FOR FULL PROBE INTO SUICIDE OF ARMY PRIVATE
(By Carol Clawson)

WASHINGTON.—U.S. Rep. Thomas J. Meskill, R-New Britain, has asked Army Secretary Stanley Resor for a full investigation into the suicide Sunday of a New Britain Army private stationed at Ft. Dix, N.J.

The youth, 21-year-old David L. Swanson, was found dead at home. But Meskill said the boy tried to commit suicide twice while at Ft. Dix and the Army had done little about it.

The youth's mother, Mrs. Arvid Swanson, wrote Meskill last month seeking his cooperation in getting military help for her son. The New Britain Republican informed Army authorities at Ft. Dix, and was told a surgeon would examine the boy and make a full report. Meskill requested a copy but not yet received it.

"I am asking for a complete investigation of the way in which this matter was handled," Meskill said. "I would like to know why the matter was taken so lightly when we stressed the fact that this boy was serious. I feel that the Army was grossly negligent in this case," he added.

While Meskill did not know the induction date of young Swanson, he said he was doing basic training at Ft. Dix.

Meskill said the boy slashed his wrists sometime in August, but the Army took no action after the wound was sutured.

The congressman received a letter from the boy in late August saying he hated the Army and didn't think he could take military life much longer. Swanson wrote that after a doctor stitched his wrist he was made to do pushups and other exercises.

When Swanson found he couldn't do the work, the Army told him they would "put an electrode on my arm and give me a good shock to wake it and me up," Swanson wrote Meskill.

The youth said also, in the letter to Meskill, that the Army permitted him to see a psychiatrist twice for about five minutes each time.

[From the Hartford Times, Sept. 24, 1969]

MESKILL SEES ARMY LAXTY IN STATE SOLDIER'S SUICIDE

The U.S. Army was grossly negligent in the case of a Ft. Dix, N.J., private who asked for psychiatric help before committing suicide on his third attempt, according to Rep. Thomas J. Meskill, R-Conn.

David L. Swanson, 21, was found dead of an overdose of sedatives Sunday at his father's home in New Britain.

"David Swanson asked for help and did not get it," Meskill said Tuesday.

"I feel the Army was grossly negligent in this case," he declared.

According to Meskill's letter, Swanson's mother wrote the congressman Aug. 25 expressing concern for her son, who, she said, attempted suicide.

Meskill said his secretary, Mrs. Barbara Norris, immediately contacted the post's liaison office asking for psychiatric help for Swanson.

"Subsequently we received a letter from Pvt. Swanson that showed clearly the boy's state of mind," said Meskill. Mrs. Norris then

contacted Ft. Dix authorities regarding "the seriousness of the case and her feeling that the boy was not faking, that he was in a suicidal frame of mind."

Meskill said Mrs. Swanson then wrote to Al Zoda, with whom she had spoken at Ft. Dix, requesting a health and welfare report on Swanson and repeated Swanson should be receiving psychiatric counseling.

Mrs. Norris also requested an explanation of the allegations made by Swanson regarding certain practices at Ft. Dix, Meskill said.

"We never received the information we requested and as far as we know, Pvt. Swanson saw two psychiatrists for about five minutes each," Meskill wrote.

"It is too late to help David Swanson. He was successful in his third suicide attempt," Meskill told Resor.

In his letters to Meskill, Swanson said he was attempting to get a medical discharge and that he would like to return home for psychiatric help.

In the last letter dated Sept. 4 from Ft. Dix, Swanson said in part "I have seen two psychiatrists but only for about five minutes each. How two different people and for such a short time can help anyone is beyond me."

He also said that after returning from a weekend pass, "a sergeant asked me why I came back and they said they didn't want me around because I was a dud. Why didn't they let me go then?"

[From the Washington Post, Sept. 25, 1969]
SUICIDE ENDS GI'S CRY: "I CANNOT STAND ALL THIS"

(By Bernard D. Nossiter)

"The day after I cut my wrists and had stitches put in," Pvt. David L. Swanson wrote from Ft. Dix on Aug. 24, "they made me do push-ups and other exercises . . . The other day I couldn't move my fingers at all. They told me to stop bluffing or they'll put an electrode on my arm and give me a good shock to wake it and me up . . . I know I'll try to kill myself again if this keeps up. I just don't care anymore. And this time I'll make sure I don't fail."

A few days later, Pvt. Swanson slashed his wrists again and wrote that he had been given an Article 15, punishment by the company commander, for his attempt.

Last Sunday, Pvt. Swanson, 21, was found dead in his bed at home in New Britain, Conn. He had taken an overdose of sleeping pills.

BEGGED FOR HELP

His father Arvid, a tool and die maker, said over the telephone yesterday in a hoarse and shaky voice:

"Somebody's got to answer for this . . . We begged everybody for help, the Red Cross, his company commander, Congressman Meskill . . . All we were looking for was someone to take care of this boy."

Rep. Thomas Meskill (R-Conn.), a trim Air Force veteran, had been writing and phoning Army authorities at the Pentagon and Ft. Dix ever since young Swanson and his family had gotten in touch with him last month. On Tuesday, he wrote Army Secretary Stanley R. Resor, saying:

"I feel that the Army was grossly negligent in this case. David Swanson asked for help and did not get it."

At Ft. Dix, Maj. George E. Chase, a public information officer, said that the command was satisfied that Swanson's case had been correctly handled and that no inquiry will be made.

Chase said that after Swanson's first suicide attempt, he had been twice interviewed by "social work technicians" and three times by psychiatric officers, all lasting a minimum of 30 minutes. Their judgment, the major said, was "with time, the boy could adjust."

Chase said that Swanson also had been "counseled" at length by his first sergeant, company commander and chaplain.

NONVIOLENT KID

Chase denied that Swanson had been forced to do push-ups with his slashed wrists. Indeed, he observed, the private had been returned from sick call following his first wrist slashing with a recommendation that he be placed on full duty. But his company officers excused him from physical training.

Swanson was described by his father as "the most nonviolent kid on earth. He was interested in music and the arts. He was a good sculptor."

Young Swanson grew up in New Britain and graduated from Pulaski High School there. He then went to nearby schools, Northwest Community College and Central Connecticut State, before he took a job in the pharmacy department at New Britain General Hospital.

Drafted on July 28, he began his basic training at Ft. Dix a week later. By Aug. 21, he was writing home, "What I am about to tell you will no doubt shock you."

He said he had slashed his wrists with a razor blade. "I can't sleep and I can't stand all this harassment . . . I hate it here and will do anything to get out . . . I can't run and my heart keeps skipping beats and I fall and they keep yelling at me to get up and stop bluffing. Please help me. . ."

MESKILL CONTACTED

His family called Meskill's local office in New Britain and the Congressman himself got a letter from Swanson a few days later. Swanson said he had seen two Army psychiatrists—later, he was to write that he had seen them each for five minutes—"and they didn't help at all. I can't take any more . . . Sgts. making PVT's eat their cigarette butts (sic). Last Sunday we weren't allowed to go to Church . . . It's like a jail here. . ."

The responses to Meskill's inquiries were routine letters of acknowledgment and a promise of a report.

Swanson's mother also wrote the Congressman, pleading for help in finding "some kind of papers I have to have signed for his release." She wrote that she had hemorrhaged twice while carrying David and that he had been a frail baby, born a month premature.

On Tuesday, David's parents, his brother, Carl, and sisters, Elizabeth and Ann Carlson and Beverly, buried the young soldier. On their return home, they found a telegram from the Director of Mortuary Operations, Special Services, Memorial Division, Ft. Hamilton, N.Y. The telegram offered to provide David with a military funeral.

H.R. 18901

A bill to establish a commission on the medical and psychological adequacy of the physical and mental examinations conducted by the Armed Forces with respect to registrants under the selective service laws

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is established a commission to be known as the Commission on the Medical and Psychological Fitness of Selective Service Registrants (hereafter referred to in this Act as "Commission").

DUTIES OF COMMISSION

SEC. 2. The Commission shall undertake a thorough investigation of the medical and psychological adequacy of the physical and mental examinations conducted by the Armed Forces with respect to registrants under the selective service laws and the manner in which such examinations are administered. The Commission shall report the results of its investigation together with any recommendations for administrative or legislative action which it deems appropriate.

MEMBERSHIP

SEC. 3. (a) Number and Appointment.—The Commission shall be composed of 11

members to be appointed by the President as follows:

(1) Six physicians (at least 3 of whom shall be psychiatrists) engaged in private practice.

(2) One civilian who is a professional social worker.

(3) Four officers who are engaged in providing medical services in the Armed Forces. A vacancy in the Commission shall be filled in the same manner as the original appointment was made.

(b) Terms.—Members shall be appointed for the life of the Commission.

(c) Compensation and Travel Expenses.—

(1) Except as provided in paragraph (2), Members of the Commission shall each be entitled to receive \$100 for each day (including travel time) during which they are engaged in the actual performance of duties vested in the Commission.

(2) Members of the Commission who are full-time officers or employees of the United States shall receive no additional compensation on account of their service on the Commission.

(3) While away from their homes or regular places of business in the performance of services for the Commission, members of the Commission shall be allowed travel expenses, including per diem in lieu of subsistence, in the same manner as the expenses authorized by section 5703(b) of title 5, United States Code, for persons in the Government service employed intermittently.

(d) Quorum.—Six members of the Commission shall constitute a quorum.

(e) Chairman.—The Chairman and Vice Chairman of the Commission shall be elected by the members of the Commission from among the members appointed under paragraph (1) of subsection (a).

(f) Meetings.—The Commission shall meet at the call of the Chairman or a majority of its members.

DIRECTOR AND STAFF OF COMMISSION

SEC. 4. (a) Staff.—The Commission may appoint and fix the compensation of such personnel as it deems advisable.

(b) Applicability of Civil Service Laws.—The staff of the Commission may be appointed without regard to the provisions of title 5, United States Code, governing appointments in the competitive service, and may be paid without regard to the provisions of chapter 51 and sub-chapter III of chapter 53 of such title relating to classification and General Schedule pay rates.

POWERS OF COMMISSION

SEC. 5. (a) Hearings and Sessions.—The Commission may for the purpose of carrying out this Act hold such hearings, sit and act at such times and places, take such testimony, and receive such evidence as the Commission may deem advisable. The Commission may administer oaths or affirmations to witnesses appearing before it.

(b) Powers of Members and Agents.—When so authorized by the Commission, any member or agent of the Commission may take any action which the Commission is authorized to take by this section.

(c) Obtaining Official Data.—The Commission may secure directly from any department or agency of the United States information necessary to enable it to carry out this Act. Upon request of the Chairman or Vice Chairman of the Commission such department or agency shall furnish such information to the Commission.

AUTHORIZATION

SEC. 6. There is authorized to be appropriated \$100,000 to carry out this Act.

REPORT

SEC. 7. Not later than 12 months after the date of its first meeting for business, the Commission shall report as required under section 2 of this Act to each House of Congress, and to the President.

TERMINATION

Sec. 8. The Commission shall cease to exist on the sixtieth day after submitting its final report pursuant to section 7.

THOSE WHO POLLUTE MUST PAY

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

Mr. KOCH. Mr. Speaker, today I am introducing the Regional Water Quality Act of 1970. This significant legislation was first introduced by the distinguished gentleman from Wisconsin (Mr. PROXMIRE), and represents a tough but imaginative approach to the national problem of water pollution.

This legislation has already received the backing of the General Accounting Office and various conservation groups. The bill establishes a national system of "effluent charges" requiring industrial polluters to share in the cost of constructing waste treatment facilities. The cost to the industrial polluter will be based on the volume of its wastes as well as the toxicity of such wastes.

We are just not cleaning up our waterways fast enough. Both enforcement and money are lacking.

As far as enforcement is concerned the 1965 Federal Water Quality Act remains a terrible bureaucratic labyrinth. The long awkward procedure of conferences, hearings, court action insures delays of 2 years or more before any effective abatement is undertaken. For that reason in late June, I relied on the Federal Refuse Act of 1899 in presenting information to the appropriate United States attorneys about major polluters in New York City. The Refuse Act prohibits anyone from discharging refuse into navigable waters and violators are liable to fine and/or imprisonment. Regrettably, the Justice Department has made clear it does not intend to use this potentially powerful and effective statute to safeguard our waters, except where pollution is "accidental or infrequent."

I am introducing the Regional Water Quality Act because it is a "new strategy" to get industries to curb their pollution. The effluent charges to be levied under the bill provide the best incentive for polluters to install abatement equipment at their expense rather than pay extra waste taxes. We know this kind of incentive will work provided the effluent charges are set high enough to cause the industrial polluter to install abatement equipment as a preferred economic alternative. Where cities have imposed effluent charges, significant reductions in industrial wastes have been achieved in a very short time. Federal funds just have not been adequate to meet abatement costs which increase every year as municipal and industrial wastes increase. The \$5.4 billion spent by the Federal Government in the last 12 years has not begun to stem the tide of pollution.

Under the Regional Water Quality Act, revenues raised from those paying the effluent charges will help finance the construction of municipal and regional treatment plants.

Mr. Speaker, I am opposed to giving tax credits or grants to industries in order to encourage them to abate their pollution. The taxpayer should not be required to pay for industry's pollution. Such aid merely acknowledges the "right" of industry to pollute at the public's expense. And such aid subsidizes those consumers of pollution-related products to whom the cost of abatement is inevitably passed along in the form of higher prices.

It is unavoidable that we will all share the cost of pollution abatement, but the greatest burden should fall on the industrial polluters and their customers. The Regional Water Quality Act will do just that. Those who pollute must pay and, in my opinion, Mr. Speaker, when industry starts to pay, industry will find it more profitable to stop polluting.

THE PRESSING NEED FOR PRISON REFORM

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

Mr. KOCH. Mr. Speaker, this week the Manhattan House of Detention for Men was the subject of great attention. Prisoners overpowered five correction officers and took control of an entire floor touching off a series of incidents throughout the overcrowded prison.

The prisoners presented a list of grievances as follows:

First. There is a denial of due process, speedy justice, and adequate legal representation.

Second. The Legal Aid Society does not provide its clients with a vigorous defense.

Third. There is brutal treatment of prisoners, primarily blacks and Puerto Ricans. Several specifics will be investigated by McGrath.

Fourth. Wives, sisters, and mothers who visit are "indecently proposed to" by officers at the prison.

Fifth. Food is unpalatable, poorly prepared, and "not fit for human consumption."

Sixth. There should be more law books available to prisoners preparing their own legal documents.

Seventh. The prison is infested with "body lice, roaches, rats, and mice."

Eighth. Clothing should be supplied to prisoners detained for long periods of time.

Ninth. There is an inadequate medical staff.

Tenth. There should be no reprisal against "any of the inmates involved in this protest."

Later on the same day Corrections Commissioner George W. McGrath met with the prisoners and the hostages were released. The Commissioner is quoted as having said:

The ironic thing is that most of what they say I have said many times over the past months. The institution is abominably overcrowded.

The conditions in the Tombs have long been known to the city officials but little has been done to alleviate any of the problems. What is particularly appalling

in the case of the Tombs is that almost everyone incarcerated has not yet been convicted and is simply awaiting trial, being held in jail because of an inability to raise bail.

One of the prisoners involved in the August 10 uprising said:

We are not animals. We are human beings. We are trying to get attention to what is going on.

Mr. Speaker, I do not condone any act of violence on the part of these prisoners but I deplore the failure of the city officials to provide the moneys needed to construct decent correctional institutions with rehabilitation and educational programs. To deal with these conditions which are a national disgrace I have co-sponsored a bill, H.R. 16794, which would establish minimum standards for correctional institutions and provide Federal financial assistance to assist State, local, and Federal prisons in meeting these standards. I urge the Judiciary Committee to hold hearings on that bill. These individuals are usually the last on the list to be helped by those holding public office. But not to deal with these problems is not only inhumane but is in major part responsible for the embitterment of those men resulting in their taking on or returning to criminal activities on their release from jail. It is in the interest of our entire society, especially in this case, that we take as our axiom "the last shall be first."

I am appending for the benefit of our colleagues an article depicting the incident at the Tombs which appeared in the New York Times on August 11, 1970:

TOMBS PRISONERS SEIZE FIVE HOSTAGES IN 8-HOUR PROTEST

(By Alfonso A. Narvaez)

Prisoners seized five guards and held them hostage for almost eight hours in the Manhattan House of Detention for Men yesterday until they were allowed to present grievances to the press and the Mayor's office.

The guards, who were released unharmed, had been overpowered as they supervised 226 prisoners having breakfast at about 6:30. The prisoners placed the guards in two cells and barricaded the entrance to the cell area on the ninth floor of the 15-story structure at 125 White Street.

The guards were released at 2:10 P.M. after the prisoners talked with Michael Dontzin, counsel to the Mayor, and with three reporters who had gone to the ninth floor with Commissioner George F. McGrath, other prison officials and Michael C. Pollina, a lawyer who was to act as an impartial observer.

TRIAL DELAYS SCORED

Commissioner McGrath had to assure the prisoners, in writing, that no reprisals would be taken against them for their actions.

The list of grievances by the prisoners included charges of brutality on the part of corrections officers, racism, bad food, overcrowding and detention for overly long periods before their trials come up.

About 30 prisoners crowded into a small entranceway, behind the steel bars on the ninth floor. They had barricaded the entrance with mattresses, bed springs, chairs and other prison fixtures. The inmates' spokesman, a man named Roy, wearing cut down trousers, crouched on the mass of fixtures in the entrance and spoke with the visitors.

In a heated tone, with his voice at times trembling with emotion, he read two statements to the newsmen and a court stenog-

rapher. When he finished the statements, other prisoners added their comments.

"We are not animals," Ray said angrily at one point. "We're human beings. This is the result of a violent act. We are trying to get attention to what is going on."

"The ironic thing is that most of what they say I have said many times over the past months," Commissioner McGrath said. "The institution is abominably overcrowded."

Yesterday, the prison, which was built to house 932 inmates, had a prisoner population of 1,992 men, all awaiting trial. Because of lack of space, many men are forced to sleep on mattresses on the floor and often three in a cell.

Commissioner McGrath said that all the allegations would be checked and that he would meet with the Mayor to see what steps could be taken to improve conditions. He said that he would probably be criticized for agreeing not to press charges against the prisoners, but that his main concern was for the safety of the men being held prisoner.

Vernon Allick, 39 years old, a guard for more than nine years at the institution, said that he had been working on his second eight-hour shift early yesterday when he was taken captive. He said that the prison was short-staffed and that many of the guards had to work 16 hours a day.

"I couldn't have resisted anything," he said after his release. "I was just too tired."

ASSURANCE GIVEN TO GUARDS

Mr. Allick said that he believed that the prisoners had "valid grievances" for their actions and that the guards had been assured that they would not be hurt.

"We were feeding the prisoners when one of the men complained of a broken toilet bowl and said he wanted to show it to the captain," said Trevor Dennis, another guard. "The captain went back to look and he was grabbed. Then, they grabbed me, too, and took the keys. They grabbed the others, too."

Mr. Dennis said that the hostages had been treated well and that the prisoners had brought them coffee and food when they said they were hungry. The prisoners were not armed.

The captain, Edward Landesman, who has been a correction officer for eight years, said that despite the assurances he had felt threatened.

"When you're thrown into a cell and don't know what's going on, it can get pretty frightening," he said.

The prisoners said that their action was "spontaneous" and that the situation had been growing over the months.

During the morning, they had smashed several thick glass bricks from the cell block where they were housed and tossed out notes asking to speak with the Mayor and with the press. One newsman narrowly escaped being hit by a large chunk of falling glass.

"We are holding a captain and four correctional officers," one hand-lettered note read. "No harm will come to them if we aren't attacked. We want to see the Mayor and the press."

The police, who had blocked off the sidewalk underneath the windows, kept retrieving the notes, which were tied within the pages of paperback books being tossed out.

Another note read: "We have been told by a member of the Commissioner's office that if we let the men we're holding go we could get a chance to talk to the Mayor. But should we not let them go, they have time and they won't allow us to talk to the press."

MEETING IS ARRANGED

Commissioner McGrath spoke with the prisoners at about 12:30 and then arranged for them to talk with reporters and Mr. Dontzin.

A spokesman for the prisoners, an inmate named Roy, read two statements to the

people assembled in the corridor outside the iron bars on the ninth floor. The prisoners asked the Mayor and the public to become aware of the conditions at the institution and to take steps to rectify them.

After reading the statements, one addressed to the Mayor and the other to the public, Roy handed them to newsmen. The statements, carefully hand lettered, in pencil on white paper, listed 10 grievances.

"We address ourselves to what we feel to be injustices we suffer in the courtrooms of the Criminal Court and the Supreme Court of Manhattan County," the grievances began.

"Unnecessary brutality . . . largely directed against the black and Puerto Rican inmate population;" indecent propositions made by prison personnel to women visiting the prisoners, unpalatable, rotten food, vermin infestation, poor medical attention, lack of clothing for the men to wear were among the other complaints.

The inmates concluded their grievances by asking that no repercussions be taken against any of the prisoners.

"We are firm in our resolve and we demand, as human beings, the dignity and justice that is due to us by right of our birth," the statement concluded. "We do not know how the present system of brutality and dehumanization and injustice has been allowed to be perpetrated in this day of enlightenment, but we are the living proof of its existence and we cannot allow it to continue."

The prisoners also complained that they were beaten by guards for minor infractions of the rules or for no infractions at all. One prisoner, who said he had been beaten Saturday afternoon, said that he had been hit with a blackjack and showed newsmen what he said was blood, matted in his hair, and marks on his back, said to have been inflicted in the beating.

Late yesterday, Mayor Lindsay issued a statement praising prison officials for their handling of the situation and expressed gratitude that the men had been released unharmed. He called for a full report of the event and said he would meet this afternoon with prison officials and members of the New York City Criminal Justice Coordinating Council to see what steps could be taken to alleviate conditions at the prison.

The Mayor also ordered Commissioner of Investigation Robert K. Ruskin to investigate the charges of brutality and called upon the Governor to order the State Commissioner of Corrections to accept the transfer of all sentenced prisoners on Rikers Island.

TEXT OF TOMBS' INMATES' GRIEVANCES

The following is the text of the demands issued yesterday by prisoners at the Manhattan House of Detention for Men:

We, the inmates of the ninth floor of Tombs City Prison, Manhattan, N.Y., submit this petition of grievances and we solicit your attention in this matter.

Grievances

1. We address ourselves to what we feel to be the injustices we suffer in the courtrooms of the Criminal Court and the Supreme Court of Manhattan County;

(a) Many of us have been denied preliminary hearings in Criminal Court.

(b) Those of us who do receive hearings are usually given sham hearings that border on a system of Kangaroo Courts in which we are not given a chance to take the stand in our own behalf, nor are we ever advised of our rights by the judges at these so-called hearings;

(c) Many of us find ourselves the victims of excessive bails;

(d) Many of us are brought to court and

wind up sitting in the detention cells all day and never get to enter the courtroom (This is generally regarded as a move by the people's representative, the district attorney, to wear the man down so that he will be willing to plead guilty);

(e) Many of us have submitted writs and petitions to the court asking that the court rectify some error in procedure. We are denied hearings on our writs even though constitutional questions are involved, or, as is usually the case, the writs go unanswered;

(f) Many of us have been waiting for trial dates for an average of eight months to a year or more and our motions for speedy trials are ignored by the courts.

In conclusion of grievance No. 1, it appears that each and every one of us has been denied some basic constitutional right and we stand before the public at large guilty until we can prove ourselves innocent.

2. In relation to grievance No. 1, in most instances we find that the Legal Aid Society aids and abets the incursions and abuses of our rights in the courtrooms. It is the order of the day for the assigned legal aid, on first meeting his client to open the conversation by saying "I suggest that you take a guilty plea," or "I can speak to the District Attorney and get you (this or that) plea."

All this without even asking the client in confidence whether he is in fact guilty of the charge. Those of us who have to rely on the Legal Aid Society to represent us find that though they are paid by the state they will not thoroughly investigate the case or subpoena witnesses in our behalf.

In conclusion of grievance No. 2, we feel that under the present system of the courts that we cannot receive any justice and can only suffer threat, coercion and intimidation disguised as law and justice.

3. We now address ourselves to the physical brutality perpetrated by the officials of Tombs Prison against the inmates thereof. This unnecessary brutality has been largely directed against the black and Puerto Rican inmate population. We vehemently denounce this policy of inhumane treatment.

It is common practice for an inmate to be singled out by some Correction Department employe because he did not hear the officer call his name or because the officer did not like the way this or that inmate looked or because of the manner in which the inmate walked or because the officer brings the turmoil of his own personal problems to work with him, and together with other officers, beat the defenseless inmate into unconsciousness, often injuring him for life physically and mentally or both.

The attacks on the inmates are made by officers wielding blackjacks, night sticks, fists and feet. After such attacks it is the policy of the officials in collusion with any one of the institution doctors to fix up fake accident reports to cover up the mayhem that has been committed against the person of the inmate.

We reject all official denials that such things do not happen here as there are those of us who have experienced these sadistic attacks and there are witnesses to verify the fact. It is common knowledge by thoughtful men that "Not one leaf of a tree could turn yellow without the silent knowledge and consent of the tree itself."

That is in relation to the officers who daily brutalize and maim us. These acts would not and could not happen without the knowledge and consent of the Commissioner of Correction, the Assistant Commissioner of Correction, the Warden of Tombs Prison, the Deputy Wardens of Tombs Prison, and the Captains of Tombs Prison.

In conclusion of grievance No. 3, we demand that this policy of physical brutality cease immediately.

4. In relation to grievance No. 3, it has

come to our attention that our wives, sisters and mothers have been variously insulted and indecently proposed to by the officers of Tombs Prison when they come to visit us. We demand that this abuse to our women be discontinued.

5. We now address ourselves to the food which we are fed. Molded bread; only enough jelly to put on one slice of bread; rotten potatoes, always half-cooked; powdered eggs with the consistency of overcooked tapioca; not enough desserts; the food is generally unpalatable without seasoning and not fit for human consumption. In conclusion to this grievance we demand better prepared food.

6. Because many of us feel that we cannot get a fair shake between the Legal Aid Society and the courts, we find that we must prepare our own briefs and motions. This institution has law books in its library, but the institution does not allow the inmates to use the law books for reference data. In conclusion of grievance No. 6 we demand use of the law books in the library.

7. This entire institution is ridden with body lice, roaches, rats and mice and we demand that adequate measures be taken to alleviate this condition.

8. As has been stated, a great majority of the men here spend about an average of eight months to a year here with their cases, and a good portion of them, due to circumstances, have no other clothes to wear save those which they had when they entered the institution. We feel that the institution should supply each inmate with adequate clothing and facilities to maintain the upkeep of their civilian attire.

9. We ask that there be an improvement in the medical staff here at the institution. As the matter now stands, the doctors prescribe an assortment of pills for every individual ailment without adequate diagnosis of the patient's complaint. The doctors even relegate responsibility by having an institution nurse listen to prisoners complain of ailments and prescribe pills for that ailment contrary to standard medical practice and the law in that regard.

10. We ask that there be no repercussions against any of the inmates involved in this protest, and that each and every point of the above list of grievances be given your personal attention. We also ask that this entire petition, without deletion, be made public by giving access to it to the press.

In conclusion

We are firm in our resolve and we demand, as human beings, the dignity and justice that is due to us by right of our birth. We do not know how the present system of brutality and dehumanization and injustice has been allowed to be perpetuated in this day of enlightenment, but we are the living proof of its existence and we cannot allow it to continue.

The manner in which we chose to express our grievances is admittedly dramatic, but it is not as dramatic and shocking as the conditions under which society has forced us to live. We are indignant and so, too, should the people of society be indignant.

The taxpayers, who just happen to be our mothers, fathers, sisters, brothers, sons and daughters, should be made aware of how their tax dollars are being spent to deny their sons, brothers, fathers, and uncles justice, equality and dignity.

Respectfully submitted,

We Are One People, the Inmates of the
9th Floor Tombs Prison.

THE MANPOWER TRAINING AND FULL EMPLOYMENT ACT OF 1970

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

Mr. BRADEMAS. Mr. Speaker, I take this time to announce that my distinguished colleague, the gentleman from New York (Mr. OTTINGER), and I yesterday introduced the Manpower Training and Full Employment Act of 1970.

Our bill, H.R. 18867, constitutes an effort to attack two major problems now confronting America: Rising unemployment and a growing shortage of essential public services.

Mr. Speaker, to meet these problems, manpower training alone is not enough. The Manpower Training and Full Employment Act which we have introduced provides not only training but also new careers in public service jobs, jobs which unemployed workers need, and jobs which supply services which society needs.

HIGH LEVELS OF UNEMPLOYMENT

Today over 4 million Americans are jobless. The Nation's unemployment rate has risen to 5 percent and threatens to remain between 5 and 6 percent until well into 1971.

In parts of the United States, unemployment has soared to 6 and 7 percent. Twenty-four major labor markets in the country, including St. Joseph and Marshall Counties in my own congressional district, are now classified by the Department of Labor as "areas of substantial unemployment."

Unemployment in South Bend, Ind., the major city in my district, has climbed to 7.2 percent in June.

Mr. Speaker, to date the administration's economic policies have been confined to combating inflation by allowing increased unemployment. But this is an approach that inflicts needless damage on the unemployed and needless injury on the economy.

The Manpower Training and Full Employment Act aims not at stimulating unemployment but at providing both training of unemployed workers and job opportunities for them.

NEEDS FOR ESSENTIAL PUBLIC SERVICES

For, Mr. Speaker, at the same time that many American communities are experiencing unacceptable levels of unemployment, most communities in the United States have serious shortages of trained personnel in health and hospital services, education, urban improvements, parks and recreation, and pollution control.

This shortage has been documented by a study prepared for the Departments of Labor and Health, Education, and Welfare by the National Planning Association.

This study concludes that achievement of the objectives projected by the Presidential Commission on National Goals would by 1975 more than double our public service employment needs of 1962.

Similarly, a 1965 study by the Office of Economic Opportunity concluded that 4.3 million new public service jobs could be filled if the Federal Government were to begin to meet the Nation's needs for public service employment.

In addition to the general need for an expansion of public service employment documented by these studies, specific areas of public service present par-

ticularly urgent demands for an expansion of jobs and essential services.

HEALTH AND HOSPITAL SERVICES

For example, Mr. Speaker, between 1962 and 1975, it is estimated that total health service employment needs will increase to 2,374,000, up from 1,021,000 in 1962, an increase of 133 percent over the 13-year period.

The Nation's mounting crisis in health care is apparent to everyone who has tried to see a doctor, sought to gain admission to a hospital, or paid a medical bill. We desperately need more doctors, nurses, medical technicians, and hospital beds. Critical bottlenecks in these areas make health care the single most inflationary item in the family's budget.

EDUCATION

Or, Mr. Speaker, let me refer to education. By 1975, public service manpower needs in the area of education will have increased from the 1962 level of 618,000 to 1,777,000, a 90-percent rise. In addition, we will need 1,142,000 nonteacher instructional personnel in public classrooms by 1977, nearly a tenfold increase over the present level.

RECREATION, PARKS, AND ANTIPOLLUTION ENFORCEMENT

A 1968 report of the National Parks and Recreation Association concludes that the deficit in recreation manpower will be 199,000 by 1975, approximately four times the present manpower deficit of 58,000.

AIR POLLUTION

Today, as recent events have dramatically made evident, our cities must live with pollution alerts and virtually uninhabitable air. At the same time, the number of persons directly employed in combatting air pollution is embarrassingly, if not frighteningly, low. A July 1969 report by the Department of Health, Education, and Welfare on Manpower Needs for Air Pollution Control estimated that budgeted positions in State and local air pollution control agencies currently total only 2,840 full-time positions.

WATER POLLUTION

The Department of Interior report to Congress—1967—on Manpower and Training Needs in Water Pollution Control estimated that 73,700 additional professionals, technicians, and sewage plant operators will be needed by 1972. These estimates, conservative by the Department's own admission, do not include pipefitters, supervisory personnel or lab technicians and are exclusive of replacement needs.

Mr. Speaker, the Manpower Training and Full Employment Act which Mr. OTTINGER of New York and I have introduced would both help train the growing numbers of unemployed and underemployed workers for new careers and provide new jobs to supply vitally needed public services.

Mr. Speaker, let me here outline the major features of the Ottinger-Brademmas bill:

MANPOWER SERVICES PROGRAM

Title I of H.R. 18867 establishes a manpower services program which would provide:

First. Training of unemployed and un-

deremployed workers for technical or subprofessional occupations. This training will be performed by public or private educational institutions.

Second. Health care, child day care, transportation, and relocation expenses for trainees.

Third. Part-time employment and on-the-job training for high school students from low-income families.

Fourth. Incentives and cost reimbursement to private and public employers for recruiting, training, counseling, and employing low-income persons.

Fifth. The establishment of easily accessible employment centers and mobile employment agencies.

TITLE II—PUBLIC SERVICE EMPLOYMENT

Title II of the bill establishes a public service employment program under which the Department of Labor is authorized to contract with Federal, State, or local governments or nonprofit agencies to provide useful public service jobs to unemployed or underemployed persons.

Areas in which jobs may be created under the public service employment program include education, transportation, recreation, park and street maintenance, pollution control, housing, conservation, family planning, and rural development.

SPECIAL PROGRAMS

Title III of the Manpower Training and Full Employment Act authorizes several special programs: "New Careers," "Mainstream," and a community environment service.

The new careers program will provide unemployed or low-income persons with new jobs leading to careers designed to improve the communities where workers reside.

The mainstream program aids projects directed at the chronically unemployed poor.

The community environment service will provide jobs involved in the restoration of the environment.

COMPUTERIZED NATIONAL JOB BANK

The National Computerized Job Bank established by the bill provides a new tool for job placement. Through the Job Bank, information on job openings can be made currently available through the use of electronic data processing equipment.

The Job Bank has been tested on an experimental basis in Baltimore, where it has assisted in increasing job placements for the disadvantaged from 20 to 50 percent. The system has three basic operating advantages: it provides for timely distribution of information on job openings to employment service staff and staff of cooperating agencies; it substantially reduces excessive referrals of workers to employers; and it reduces unproductive job solicitation visits to employers.

BILINGUAL MANPOWER TRAINING PROGRAMS

Large numbers of Americans have difficulty finding jobs because of their limited English-speaking ability. Title VI of the bill provides financial aid to public agencies and nonprofit private organiza-

tions for programs to aid migrants and workers with limited English-speaking ability.

VETERANS MANPOWER TRAINING AND EMPLOYMENT

Of the million men who return to civilian life every year, about 200,000 do not have a high school diploma.

A large percentage, perhaps as high as 25 percent, come from depressed or impoverished areas.

The President's Committee on the Vietnam Veteran concluded in a recent report:

Statistics on the employment experience of educationally handicapped veterans bears out their need for concern. A recent survey reported unemployment rates of 5.8 percent for white veterans who had completed high school and 8.8 percent for those white veterans with less than a high school education. These rates compare with a 4.6 percent unemployment rate for all non-veterans in the comparable age range. The same survey reported unemployment rates of 9 percent for Negro veterans who had completed high school and 18.5 percent for Negro veterans with less than a high school education. For Negro non-veterans in the same age group, the unemployment rate was 5.9 percent.

There are two facets to the problem of veterans unemployment. Men who do have marketable labor skills must be matched with the jobs available and must, after their long stay in the military, be reacquainted with the civilian labor market.

For those who have no usable labor skills the problem is either to provide them with training, before separation if possible, so that they are not left out in the cold when they return to civilian life, or at least to encourage them, after discharge, to take advantage of opportunities under the GI bill.

Providing the educationally and economically deprived veterans with job skills during their service is a more difficult problem. For 3 years the Defense Department's Project Transition has been trying to provide in-service training to those who need it and who have less than 6 months of service remaining. The intentions behind the program are good, but it is severely limited. Only servicemen who spend their last 6 months of active duty within the United States are eligible to participate in the program. This fact, combined with the relatively low level of response from those who are contacted, means that only 60,000 servicemen annually make use of Project Transition—not much of a dent in the million servicemen separated from the military each year.

Efforts to beef up Project Transition have not met with much enthusiasm within the professional Military Establishment, which is traditionally and understandably concerned with encouraging a high rate of reenlistment. We must, therefore, make special efforts to provide opportunities for veterans in our civilian manpower and training programs.

Despite the fact that there are more veterans on the labor market than ever before and that 23 percent of enlisted men leaving service annually do not have high school diplomas, the number of veterans enrolled in MDTA classroom

training has decreased by approximately 20 percent since 1958.

Vietnam veterans are now returning to civilian life at the rate of 70,000 a month. Increased troop withdrawals will, of course, increase the rate of discharge.

The Ottinger-Brademas bill will require the Secretary of Labor to establish effective administrative controls—currently totally lacking—to insure that all veterans seeking assistance received it promptly and effectively. The Secretary will also be required to determine whether sufficient State employment service personnel are being committed to applications of veterans, who comprise one-sixth of all those applying to employment service offices.

OLDER AMERICANS

In periods of affluence, middle-aged and older workers have nevertheless found it increasingly difficult to find and keep jobs.

Seven million Americans over age 55 live at or below the poverty level. And rates of unemployment for workers over age 45 are substantially higher than among younger workers.

Accordingly, title VIII of the bill—Mid Career and Older Workers Employment Act—authorizes programs to increase job opportunities for older workers through education, training, elimination of discriminatory practices and Federal employment.

Mr. Speaker, I believe I must here make an observation concerning H.R. 13472, the manpower training bill which the administration sent to Congress in August of 1969. H.R. 13472 is no more than additional evidence that the administration prefers showpiece program reorganization to substantial program reform. How else could the administration design a manpower development bill that manages to ignore public service manpower shortages, the employment needs of veterans returning without jobs, older and mid-career workers, and long overdue basic reforms in manpower programs?

The administration's manpower bill (H.R. 13472) is completely inadequate. It creates no jobs. It lacks provision for realistic public service employment program. The main thrust of the administration's manpower bill is in establishing a mechanism for coordinating and consolidating existing manpower training programs.

Mr. Speaker, Mr. OTTINGER and I hope that President Nixon will join Democrats and Republicans in Congress in pressing for prompt passage of H.R. 18867, the Manpower Training and Full Employment Act of 1970.

Surely this great Nation can find a way both to train unemployed men and women and to meet serious shortages of trained manpower—and womanpower—for essential public services.

THE FINANCE LOBBY IS WORKING AGAINST LEGISLATION IN HOUSE

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

Mr. ECKHARDT. Mr. Speaker, there will undoubtedly be those who will try to inject the office of Chief Justice of the United States into the political arena and interpret Chief Justice Warren E. Burger's speech to the American Bar Association as an admonition not to extend to consumers the right to an effective class action procedure in Federal courts. Even now, the great national network of the consumer finance lobby is working against my consumer class action legislation in the House. It is this and other massive lobbies who have tried to bring into the fray more prestigious forces than they could ever hope to be to support their special interests.

For instance, the impression was given that the American Bar Association through its spokesmen opposed the consumer class action legislation. The President of the American Bar Association has clearly refuted this proposition in a letter to the Washington Evening Star answering an article by the distinguished writer, Milton Viorst. President Segal says that ABA's Special Committee on Consumer Legislation of the section of antitrust law does not speak for the American Bar Association, that the same thing is true of another committee of the bar, the Standing Committee on Legal Aid and Indigent Defendants, which has favored consumer class actions.

Now, undoubtedly, the special interest lobby against consumers will try to use the great prestige of Chief Justice Burger by attempting to twist it into a statement against consumer class actions. I wish here to anticipate this and to show that such an attempt would be a flagrant warping of Chief Justice Burger's very excellent speech in St. Louis to the American Bar Association.

The thrust of the Chief Justice's speech was this:

As Dean Roscoe Pound said 64 years ago, the work of the courts in the twentieth century cannot be carried on with the methods and machinery of the nineteenth century.

Justice Burger correctly said that:

We did not heed his warning and today in the final third of this century we are still trying to operate the courts with fundamentally the same basic methods, procedures, and machinery he said were not good enough in 1906.

He then goes on to point out how the very necessary duties of the court have expanded, how there has been a revolution in criminal law, and how there is a need to increase the size and efficiency of our judicial system.

Among other things he points out that lawyers, judges, and Congress have not sufficiently brought the machinery of law up to date. Indeed, this is one of the reasons why consumer class actions are presently necessary as an improvement of that machinery. They could consolidate in a single case many potential cases which would burden the courts if tried separately—many cases that cannot be made the subject of a class action today. They utilize the most modern machinery of the law, the provisions of Federal Rule 23.

Second, he emphasizes the increasing seriousness of problems brought about by the increase in population attendant

upon the great growth of the cities and the increase in the volume of cases. Such growth of population and such growth of big cities have made the marketplace impersonal and have contributed to the need for an effective consolidated adjudication of consumer cases.

Third, Chief Justice Burger points out that new laws have been passed and new decisions have been rendered creating many new kinds of cases and processes. The examples he gives of statutes "which added thousands of cases" to the courts' case load are two recent statutes "relating to commitment of narcotic addicts and the mentally ill." He also mentions the increasing number of criminal cases and their increased complexity.

Certainly, we cannot reasonably conclude that Justice Burger would have favored defeating the statutes or removing the safeguards to civil liberties in order to lighten the case load, and he does not say this. He says:

The most simple and the most obvious remedy is to give the courts manpower and tools—including the prosecutors and defense lawyers—to try criminal cases within sixty days after indictment.

and he points out that the bar has been too apathetic and the judges too timid "to make clear to the public and the Congress the needs of the courts."

These points are the major thrust of Justice Burger's speech. With them I wholeheartedly agree. The only paragraph in which he referred to class actions is quoted in full as follows:

As to the future I can do no more than emphasize that the Federal court system is for a limited purpose and lawyers, the Congress, and the public must examine carefully each demand they make on that system. People speak glibly of putting all the problems of pollution, of crowded cities, of consumer class actions and others in the Federal courts. We should look more to state courts familiar with local conditions and local problems. [Emphasis added.]

I agree with Justice Burger on these points also, and my consumer class action bill is congenial with the points. Let me support each of the propositions with the example of my consumer class action provisions:

First. The Federal court system is, indeed, "for a limited purpose and lawyers, the Congress, and the public must examine carefully each demand they make on that system." The class action bill provides that the typically judicial subject matter involved with damage to a consumer by virtue of an illegal act upon the part of a supplier is to be tried in an effective, efficient manner by courts. It is courts that can most effectively afford remedies for injury of persons. This is the "limited purpose" of the bill. It is a judicial purpose accomplished in a lawyer-like fashion.

Second. The act does not "speak glibly" of putting many problems, including consumer class actions, in the Federal courts. It places only the problem of dealing with those cases of reasonable size, affecting commerce, and being most effectively triable in Federal courts, in these courts. And the cases it submits to the Federal process are those which typically would not be tried at all if the

remedy afforded by the act were not granted.

Third. The Chief Justice properly says that "We should look more to State courts familiar with local conditions and local problems." I agree strongly. And this is exactly what was looked to in the Eckhardt consumer class action bill. The bill looks to "State courts familiar with local conditions and local problems" to establish the substantive body of law upon which the Federal class action process applies. The administration bill does not do this but purports to fashion a whole new body of Federal substantive law which must be hammered out anew by the Federal court system.

My bill also provides concurrent jurisdiction to try the Federal action in State courts and gives the Federal court broad discretion to dismiss without prejudice to refile in the State courts. In addition, it provides equality of treatment of plaintiffs in class actions brought in State courts under the Federal act with their treatment in Federal courts. It does this by applying rule 23 wherever the case be tried. This is the only way that the State process can be made sufficiently flexible and attractive to remove the load from Federal courts.

I do not wish to inject Chief Justice Burger into the immediate legislative policy questions before Congress today. It would be very improper for him to insinuate himself into the work of a separate branch of Government and he is too good a judge of the Constitution of our Government to do so. I merely wish to point out that, though his statements are obviously not intended to support or oppose consumer class actions, nevertheless the tenets which he raises are entirely consonant with my consumer class action bill.

DISPOSAL OF MILITARY AND CHEMICAL WEAPONS

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

Mr. FASCELL. Mr. Speaker, last week the Oceanography Subcommittee of the House Merchant Marine and Fisheries Committee concluded hearings on the Department of the Army's plan to dispose of 135,000 pounds of lethal chemical agent GB in the Atlantic Ocean off the coast of Florida. In a statement released last Friday, the subcommittee concluded that the disposal of the nerve gas containers in the ocean was the only alternative available due to the hazard to human life through continued storage.

The incredible position we find ourselves in at the present time, with tons of lethal chemical in a highly volatile munition, and the very late determination that the ocean may be the least objectionable place to get rid of it, must never be permitted to occur again. We must have a national and international reappraisal of public policy if we are to assure that the oceans do not become the world's garbage dump.

I am therefore proposing four measures today which call for a reappraisal of national and international policy—and which, if enacted, would provide the nec-

essary safeguards against a recurrence of the dilemma which faced the House subcommittee last week.

In a time when all waste that is deposited into the oceans should be regarded as a grave threat to the environment, we in the U.S., by our action, are faced with the consequences of having to dump 135,000 pounds of lethal nerve gas into the ocean.

A 1968 study by the Dillingham Corp., estimated that 48 million tons of sewage and solid waste were disposed of at sea each year off U.S. coastlines, along with 1 million tons of oil and 10 million tons of gasoline dumped into the seas all over the world. This is in addition to the millions of tons of other pollutants spilled into international waters by other nations yearly.

It is further estimated that two-thirds of the 1.5 million tons of DDT produced by man has found its way back to the sea. The grave long-range effects cannot be known or calculated. Eight percent of available shell fishing grounds off the United States have been declared unsafe because of the hazard of hepatitis. Areas of the sea around New York, New Jersey, or Los Angeles are ecologically disturbed by "sewage muck." And industrial pollution increases at a rate of 4.5 percent a year. Ten thousand tons of lead is introduced yearly into the oceans and an equivalent amount of mercury.

The situation is grim, Mr. Speaker, and does not appear to be improving. The President's Panel on the Santa Barbara Oil Spill has estimated that by 1980 we can expect an average of one major oil spill a year, one of the more dramatic of the ways in which we are killing our oceans.

Thor Heyerdahl, and members of his expedition which recently crossed the Atlantic in a reed boat, said that he and his crew could not fill their tooth mugs from the ocean hundreds of miles out to sea because of the filthy condition of the water. The Russian scientist G. G. Polykarpov, whose studies have shown that radiation levels in the ocean are already seriously affecting the development of fish eggs, has put it another way: "further contamination of sea water is inadmissible."

The United States and other nations of the world are using the oceans as an international garbage dump. Oil, sewage, garbage, chemical effluents, heavy metals, radioactive wastes, trace elements, dry cleaning fluids, chemical warfare agents and irritants, detergents, and pesticides are just a portion of what man is dumping into the oceans seemingly without regard for, or knowledge of, the consequences. The time has come for a reappraisal of this policy.

I am therefore introducing a bill to require the Council on Environmental Quality to make a full and complete investigation and study of national policy with respect to the discharging of material into the oceans. The council would report its recommendations for a national policy, including treaties, agreements, and necessary legislation to the President and the Congress. The text of my proposal follows:

H.R. 18914

A bill to require the Council on Environmental Quality to make a full and complete investigation and study of national policy with respect to the discharging of material into the oceans

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Council on Environmental Quality established by Public Law 91-190 shall make a full and complete investigation and study of all aspects of existing national policy with respect to the discharge of any material of any kind into the waters of the Atlantic and Pacific Oceans, the Gulf of Mexico, and any other waters within the territorial sea and the contiguous zone of the United States. Upon completion of such investigation and study the Council shall report to the President and Congress the results thereof, its recommendations for a national policy with respect to discharges into such waters including any treaties, agreements, and legislation necessary in connection therewith.

I have reviewed the recommendations which the council submitted to the President yesterday in its first annual report. The council's report indeed indicated a landmark turn in our total environmental policy. I feel, however, that a similar report, devoted exclusively to our policy with respect to the discharging of material into the oceans, is still desperately needed.

Mr. Speaker, we must also ask ourselves, how much longer will we allow chemical and biological weapon systems to be built, not to mention nuclear weapon systems, without regard to future disarmament, disposal, and neutralization? How many of these rockets, munitions, chemical, bacteriological, and other military material will be built without knowledge of how to destroy them before they become a threat to the environment and our own civilian population? How much longer can we allow our oceans to be used as an international garbage dump?

In the case before the Oceanography Subcommittee last week, there seemed to be no question that the proper procedures—prescribed by law—were followed. Scientific studies were conducted not only by the National Academy of Sciences but by a special panel of scientists whose findings were transmitted to the Department of the Army. In compliance with law, approval was also sought and received from the Department of Health, Education, and Welfare. Further, a detailed statement concerning the environmental impact of the disposal of the chemicals was submitted to the Council on Environmental Quality. At each stage the necessary approval was granted. Congressional leaders were advised of the Army's plan and the approvals.

In spite of this, the Army's disposal plan was widely criticized and questioned. Clearly, the approval procedures should be strengthened.

Legislation I am introducing today would place in the Environmental Quality Council the final approval authority of all plans to dispose of military material in the waters of the United States or into our navigable waters. All discharges into these waters would be prohibited without a certification by the Council. My bill follows:

H.R. 18913

A bill to prohibit the discharge into any of the navigable waters of the United States or into international waters of any military material without a certification by the Council on Environmental Quality approving such discharge

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That after the date of enactment of this Act, no person shall discharge, directly or indirectly, into any of the navigable waters of the United States or into international waters any munition, or any chemical, biological, or radiological warfare agent, or any other military material except in accordance with a certificate issued by the Council on Environmental Quality established by Public Law 91-190 permitting such discharge and establishing the terms, conditions, and limitations applicable thereto.

Mr. Speaker, it is stupid to determine the question of disposal only after an emergency already exists. This procedure must be reversed, so that a means of safe disposal is determined at the same time the deadly weapon is obtained in quantity for U.S. military purposes.

By law we should provide that, prior to the acquisition of any munitions, chemical, biological, or radiological warfare agent, the Secretary of Defense shall determine and properly report to the Council on Environmental Quality and the Congress the following:

(a) the date beyond which such material cannot be safely retained; and
(b) the best means of disposing of such material.

Further, we must make a complete inventory of all existing munitions and other military material the ultimate disposition of which may present any danger to man or the environment. The date for disposal and the best means of disposal must be determined and reported to the Council on Environmental Quality and the Congress for each item on the inventory.

The third bill I am today proposing would require this preacquisition certification and an inventory of existing military material stock.

H.R. 18912

A bill to require the Department of Defense to determine disposal dates and methods for disposing of certain military material.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Defense, acting through the Secretaries of the military departments, shall make a complete inventory of all existing munitions, chemical, biological, and radiological warfare agents, and other military material the ultimate disposition of which (other than for the purpose for which acquired) will present any danger to man, or to the environment, and with respect to each item on such inventory, determine the date beyond which such item can not be safely retained, and determine the best means of disposing of such item. The inventory, and the disposition date, and method of disposition of each item thereon required by this Act shall be submitted to the Council on Environmental Quality established by Public Law 91-190 and to Congress as soon as practicable.

Sec. 2. Prior to the acquisition after the date of enactment of this Act of any munitions, chemical, biological or radiological

warfare agent, or other military material and the ultimate disposition of which (other than for the purpose for which acquired) will present a danger to man or to the environment, the Secretary of Defense, acting through the Secretaries of the military departments, shall, with respect to such munition, agent, or material, fix the date beyond which such munition, agent, or material can not be safely retained, and determine the best means of disposing of such munition, agent, or material. All such information shall be submitted to the Council on Environmental Quality and to Congress prior to the acquisition of such munition, agent, or material.

Mr. Speaker, we must remember too, that the environmental effects of polluting the ocean will affect all countries of the world—not just the United States alone.

Article 2 of the convention on the high seas provides that freedom of the high seas, recognized by international law, shall be exercised by all states with reasonable regard to the interest of other states in their exercise of freedom of the seas. Articles 24 and 25 charge signatories with drawing up regulations and taking measures to prevent pollution by dumping radioactive wastes.

Pursuant to this very limited agreement, the United States has enacted its own approval procedures. Public Law 91-212, section 409(c) (2) provides that:

None of the funds authorized by this Act, or any other Act shall be used for the future testing, development, transportation, storage, or disposal of any lethal chemical or any biological warfare agent outside the U.S. if the Secretary of State, after appropriate notice by the Secretary [of Defense] whenever any such action is contemplated, determines that such testing, development, transportation, storage, or disposal will violate international law. The Secretary of State shall report all determinations made by him under this paragraph to the President of the Senate and the Speaker of the House of Representatives, and to all appropriate international organizations, or organs thereof, in the event such report is required by treaty or other international agreement.

Pursuant to this law, the Secretary of Defense advised the Secretary of State of plans to dispose of the nerve gas GB in the Atlantic Ocean. The Acting Secretary of State, after reviewing the Army's plan with Defense Department experts, concluded on July 30, 1970:

No basis has been found for a determination that the transport and disposal in question will violate international law.

These findings were then communicated on the same day to the Speaker of the House and the President of the Senate.

The State Department has further advised that the only other precautions taken on an international level will be "In accordance with international practice, local notice to mariners and an international Hydrolant message will be given prior to the ocean transport and disposal."

Mr. Speaker, a more substantial agreement among nations with respect to insuring the preservation of our oceans is obviously essential. The implications are far-reaching. If the United States can approve the dumping of lethal nerve gas in the middle of the Atlantic unilaterally—a decision based solely on U.S. scientific opinions—there is nothing that

could prevent any country from making a similar determination which could greatly affect the United States.

The United Nations is the logical body within which to reach agreement on the prevention of pollution. Cooperation of all nations is essential, and certainly, the United States must not permit itself to be an offender.

The U.N. Conference on the Human Environment is scheduled to convene in Stockholm in 1972. I call for placement on the agenda of that Conference consideration of international agreements and procedures prohibiting or at the very least for securing approval for the dumping of any waste matter into the oceans. At the present time there is absolutely nothing to prevent any nation from dumping harmful and dangerous substances immediately outside of our territorial waters.

I sincerely hope that the President will instruct the U.S. Delegation to the U.N. Conference at Stockholm to take the lead in making this proposal to prohibit and prevent pollution of the waters of the world. I have today introduced the following concurrent resolution expressing the sense of the Congress in support of this effort:

H. CON. RES. 704

Resolved by the House of Representatives (the Senate concurring), That it is the sense of the Congress that the pollution of waters all over the world is a matter of vital concern to all nations and should be dealt with as a matter of the highest priority.

SEC. 2. It is the sense of the Congress that the President, acting through the United States delegation to the 1972 United Nations Conference on the Human Environment, should take such steps as may be necessary to propose an international agreement or amendments to existing international agreements, as may be appropriate, providing for coordinated international activities to prohibit the disposal of munitions, chemicals, chemical munitions, military materiel and any pollutants in territorial waters, contiguous zones, the deep sea bed or any international waters, and otherwise to prevent the pollution of the waters of the world.

In conclusion, Mr. Speaker, I wish to reiterate my call for:

First, A thorough study by the Council on Environmental Quality of national policy with respect to the discharging of material into the oceans;

Second, An international agreement, under the auspices of the 1972 U.N. Conference on the Human Environment to be held in Stockholm to prohibit any dumping in the waters of the world, and provide the necessary framework for review and enforcement;

Third, A requirement that before any new munition or chemical can be introduced into the U.S. arsenal by the Department of Defense—or any other Federal agency—there must first be formulated and simultaneously certified by the Council on Environmental Quality, a specific date by which it must be disposed, and the means of disposal; and a requirement for an immediate review by the Department of Defense—all military services—of all munitions and chemicals on hand whose retention or ultimate disposal present a hazard or potential injury to mankind or the environment, for

the purpose of determining the date of disposal and the means of disposal; and

Fourth, Legislation to provide the Council on Environmental Quality with final authority within the executive branch for approval of all disposal plans.

Mr. Speaker, we must have national and international reappraisal of public policy if we are to prevent the destruction of the waters of the world. The damage to mankind is incalculable and irreversible if we insist on using the oceans as an international disposal dump for garbage, sewage, military materiel and other refuse of mankind.

THE RELENTLESS WAR IN VIETNAM

The SPEAKER pro tempore (Mr. HANLEY). Under a previous order of the House, the gentleman from Ohio (Mr. FEIGHAN) is recognized for 30 minutes.

Mr. FEIGHAN. Mr. Speaker, according to a recent nationwide poll service 56 percent of the American people want an early end to the Vietnam war. This percentage figure now includes many who originally supported the objectives of the war, but have now become disenchanted because of our long history of involvement with no prospect of victory. To my mind this long, relentless war has been due, in great measure, to our own making; and, had it not been for some serious errors in judgment, we would have reached, long before now, a decisive stage in the war. For example, I believe the assassination of President Diem in 1963 was counterproductive, and our restrictive bombing of North Vietnam lost for us our only effective means of forcing the enemy to negotiate.

Up to the time of his assassination, President Diem had been making progress in developing the administrative processes of government, agrarian reform, and security against communist infiltration; and in the midst of many ethnic, regional, and religious differences, he was slowly pushing his countrymen toward a sense of national identity. This was no rare achievement in a country that had known little peace, and less cohesion since the history of Vietnam began.

Such progress came to an end, however, when a clique of self-seeking and adventurous generals organized a coup to remove Diem from power. This happened on November 1, 1963, and in the process Diem was assassinated. This produced a nightmare of confusion in the administrative and political affairs of South Vietnam. Near anarchy became the trend. The Chicago Tribune put the development in proper context when it observed:

The military coup which put an end to the Diem regime in South Viet Nam could hardly have been unexpected in Washington. . . . There seems to have been a division of opinion of the American Government about the advisability of throwing the internal affairs of South Viet Nam up for grabs at a time when the United States was heavily involved in that country's war for survival against communism.

Over the next 2 years, control of the government in Saigon passed from one group to another. There were in all, nine

such short-term interim governments. Inefficiency and corruption became rampant, many officials abandoned their responsibility and fled with their ill-gotten gains to become expatriates in Paris and the Riviera. As a result, the war effort in South Vietnam became minimal. Taking advantage of this situation, the Vietcong successfully infiltrated into the densely populated Mekong Delta; created the Ho Chi Minh Trail whereby two new North Vietnamese divisions could make their appearance in South Vietnam.

As Communist capabilities in South Vietnam improved, security to American forces and facilities became endangered. American convoys were ambushed; the American Embassy, American hostels, and barracks were bombed and attacked; American military and civilian vessels were bombed and sunk; American military aircraft were destroyed by Vietcong while standing still on airfields; and American military bases in the central highlands of South Vietnam became isolated. In the midst of this trend the Council of Ministers of the Southeast Asia Treaty Organization reported that there then existed a threat to the sovereignty of the Republic of Vietnam as well as Southeast Asia.

All these developments came to a head when, on August 2, 1964, three North Vietnamese torpedo boats attacked a U.S. destroyer, the U.S.S. *Maddox*, which was on routine patrol in the Gulf of Tonkin, some 30 miles off the coast of North Vietnam. Two days later the *Maddox*, along with another destroyer, the *C. Turner Joy*, was again attacked by torpedo boats, resulting in an exchange of fire. The United States drew attention of these attacks to the Security Council of the United Nations but to no avail.

Due to our obligations under the Southeast Asia Treaty Organization and the necessity to protect our forces in South Vietnam, and the China Sea, President Johnson asked Congress for a resolution expressing the unity and determination of the United States to repel aggression and protect freedom in Southeast Asia. A joint resolution was passed on August 7, 1964, by a vote of 88 to 2 in the Senate and 416 to 0 in the House, and became Public Law 88-408 on August 10, 1964. This became known as the Tonkin Resolution which authorized our subsequent buildup in Vietnam.

In our efforts to stabilize the military situation, and defeat the Vietcong, our forces fought to the unfamiliar surroundings of elephant grass, paddyland, mountains and almost impenetrable jungles. The nature of the fighting became relentless and timeless; whereupon emphasis was placed on bombing the enemy. This bombing, however, was limited and restrictive in nature, which probably lost for us the one real opportunity of reaching a decisive stage in the fighting.

On this subject, Senator STUART SYMINGTON, former Air Force Secretary, observed:

It would seem that we are attacking the least important targets most, the more important targets less, and the most important targets not at all.

Admiral Sharp, overall commander of our operations in the Far East, since

retired, has commented in greater detail as to the consequences of this restricted method of bombing:

Our first chance to win the war quickly came in February 1965, when we started bombing the north. At once, we should have launched a sustained, maximum-effort attack on all of the transportation facilities, military complexes, petroleum-storage depots. At that time, the enemy had no Soviet surface-to-air missile—SAM—sites installed, and his antiaircraft capability was practically nil. He could not have opposed us in any significant way, and we could have quickly broken North Vietnam's resistance.

If we had launched a maximum-effort air campaign—coupled with heavy pressure on the enemy's troops in South Vietnam—it would not have been long before he would have been forced to ask for negotiations. And it is important to note that these negotiations would have been conducted on terms favorable to us—instead of, as it turned out, our having to coax him to the negotiating table, more or less on his terms. It's also possible that under this extreme pressure the enemy's aggression in the south might just have faded away. Either way, it would have been a victory for us. But what happened? From the start, our air power was kept on a tight leash. At first, when we sent even a reconnaissance plane over the north, Washington would tell it what route and altitude to fly. We started our operation close to the Demilitarized Zone and worked gradually northward about 30 miles at a time, always under Washington's close control. It was obvious to anybody plotting the course of events that the enemy could expect us eventually to move on up to the heartland of the country. Thus, the vital military elements of surprise and maximum impact were lost.

We also lost valuable time. Our policy of gradualism enabled North Vietnam to mount the most formidable air-defense system that has ever been used in combat history. The North Vietnamese began building SAM sites in 1965, and during that year were able to fire only 125 missiles. Eventually, the North Vietnamese had about 40 SAM battalions, and during 1967 they fired nearly 3500 missiles at our aircraft. The result is that we have lost nearly 1000 planes over North Vietnam. Many of the pilots were killed or captured. Not only did we suffer this needless loss of men and aircraft, but the North Vietnamese were given time to disperse their factories and military installations. This made it all the more difficult to go after them later, and hence prolonged the war.

I agree with Admiral Sharp. Our restrictive bombing has prolonged the war. Here lies the basis for the increasing urge to end the war and bring our troops home. The future now rests with the shifting of the American role in Vietnam to that of helping the Vietnamese to help themselves, which means the pacification and Vietnamization programs. The pacification program now consists of paramilitary forces, numbering in excess of 500,000 men, trained and equipped by the Americans, and it has the responsibility of maintaining hamlet and village security. The Vietnamization program is the development of the Army of the Republic of Vietnam, numbering approximately 1,000,000 soldiers, trained and equipped by the Americans for the role of combat with regular enemy units still operating in South Vietnam.

The recent report dated July 6, 1970, by the Select Committee of the House on U.S. Involvement in Southeast Asia states the process of pacification and Vietnam-

ization of the war in Vietnam is progressing and that all levels of our military command there are planning to meet withdrawal schedules. These withdrawals which commenced in early 1969, when our forces reached the peak figure of 543,400, will continue until December 1972 when an estimated force of 50,000 will be left. However, the ultimate results of our involvement in South Vietnam will be determined by the Paris peace talks.

These talks have now been resumed. As in Korea, they can be long and frustrating, and part of the relentless war. In order not to repeat our past mistakes in negotiating with the Communists, I recommend the following courses of action:

First, the agenda for negotiations to include only matters of substance, and not propaganda;

Second, the first item on the agenda to cover the release of prisoners of war;

Third, place a time limit on every item for discussion to avoid propaganda exploitation;

Fourth, during negotiations require the adversary to match words with deeds;

Fifth, never make a concession for which there is not an exact reciprocation;

Sixth, adopt adequate security precautions among ourselves to prevent leaks to the adversary during the period of negotiations; and

Seventh, utilize military options to force the enemy to produce results in peace talks.

Mr. FULTON of Pennsylvania. Mr. Speaker, will the gentleman yield?

Mr. FEIGHAN. I am very happy to yield to my very distinguished colleague, the gentleman from Pennsylvania (Mr. FULTON).

Mr. FULTON of Pennsylvania. Mr. Speaker, I thank the gentleman for yielding.

As a member of the House Committee on Foreign Affairs I have listened with very great interest to the statements the gentleman has made and I appreciate the study and time the gentleman has put in on this subject and the facts that the gentleman has produced so well.

Mr. Speaker, I would like to ask the gentleman how much time did the negotiations take in Korea?

Mr. FEIGHAN. Over 2 years—2 long years.

Mr. FULTON of Pennsylvania. It was 2 years in Korea before really any kind of a cease-fire or agreement was reached, is that correct?

Mr. FEIGHAN. The gentleman is correct.

Mr. FULTON of Pennsylvania. One other question: What should the Congress scrutinize particularly now and in the future in Vietnam; what would the gentleman emphasize?

Mr. FEIGHAN. I believe we should have a constant monitoring of the pacification and Vietnamization programs and any indications of progress in the Paris peace talks.

Mr. FULTON of Pennsylvania. One other question that I would like to ask the gentleman from Ohio is about the

military options. What does the gentleman have in mind regarding the military options, to wit the influence of any impact of the peace talks to which the gentleman has just spoken?

Mr. FEIGHAN. In reply to the inquiry of the gentleman from Pennsylvania, I have in mind military options only as a last resort—only as a last resort. If this be necessary I suggest the strategic targets which we omitted on the first occasion of bombing such as the Hanoi bridges and the Haiphong Canal and other approaches to Haiphong.

Mr. FULTON of Pennsylvania. Mr. Speaker, I thank the gentleman from Ohio because of his factual observations, and I wish to say to the gentleman that it has been a pleasure to have his answers to the questions I have asked and for his advice for the future of the U.S. course of action in this area.

Mr. FEIGHAN. Mr. Speaker, I thank the gentleman.

Mr. Speaker, I yield back the balance of my time.

LEGISLATION TO TREAT CITIES LIKE STATES

The SPEAKER pro tempore. Under a previous order of the House the Chair recognizes the gentleman from New York (Mr. FARBSTEIN) for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, I have today introduced H.R. 18893, legislation to give urban areas a more equitable share of Federal grant money by permitting large cities to be treated and funded as if they were States. The individual city with a population of 150,000 or more would have the option of having this proposal apply to any of or all of the grant programs for which it qualified.

Much of Federal aid to cities currently is allocated through the States, which are less than totally sympathetic to urban needs.

The Congress goes on appropriating funds to meet urban problems that never reach urban areas. The States flaunt the fact that they have large cities with immense problems in order to secure Federal aid, but forget about the cities once that aid is in their hands.

Recent reports on urban education and the Crime Control Act found not only a low per capita of funds going to cities, but that funds allocated by the States to the cities had to be used for what the State authorities felt most important.

Under my formula, grant allocations could go directly to the city based on the same formula applied to the States. The amount to the rest of the State would then be recalculated as if the city were not a part of the State. It would not involve any increase in overall expenditures.

The cities are estimated to have lost billions because so large a percentage of Federal aid goes through the States. The Federal Government has no exact figure, since it normally does not keep track of how the States allocate Federal money. That is considered the State's responsibility.

The provision would mean that New York City, for example, could get seven times more water treatment funding in 1 year than it has in the previous 15. Between 1957 and January 31, 1970, it received \$7,896,000 in Federal funds. Under H.R. 18893, the city would have received \$32,750,000 in just fiscal 1970 alone.

I insert at this point in the RECORD the text of the bill:

H.R. 18893

A bill to permit any of certain municipalities to be considered as a "State" for the purpose of applying for benefits under certain Federal grant-in-aid programs; and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding any other provision of law, any municipality having a population of not less than 150,000 may apply for benefits under any existing Federal grant-in-aid program enacted for the benefit of the States if such program provides assistance for the carrying out of activities or purposes that are within the legal power of such municipality to perform. For the purposes of any such Federal grant-in-aid program, any municipality applying for benefits thereunder shall be deemed to be a "State", and the application of any formula established with respect to the allocation of funds under such program among the States shall, notwithstanding any other provision of law, be adjusted to provide for the equitable allocation of available funds thereunder among the States and those municipalities which elect to apply under this Act for benefits. A municipality may terminate its application or participation with respect to a Federal grant-in-aid program under this Act at any time.

SEC. 2. The Director of the Office of Budget and Management shall prescribe such regulations as are necessary and appropriate to carry out the purposes of this Act.

SEC. 3. This Act shall apply only with respect to applications made by municipalities under the first section of this Act for benefits under Federal grant-in-aid programs for the fiscal year beginning July 1, 1970, and fiscal years thereafter.

The dramatic impact this legislation would have on the allocation of financial resources to our large cities is demonstrated through an analysis of its impact on five urban grant programs: First, vocational rehabilitation services; second, hospital construction—Hill-Burton; third, waste treatment works construction; fourth, public community colleges and technical institutes construction; and, fifth, vocational education for New York City, St. Louis, and San Francisco.

1. VOCATIONAL REHABILITATION SERVICES

Formula used for allocation: For each fiscal year each State is entitled to an allotment of an amount bearing the same ratio to the amount authorized to be appropriated as the product of the population of the State and the square of the allotment percentage—based on per capita personal income—bears to the sum of the corresponding products for all the States.

Apportionment of the available funds, with the cities of New York, San Francisco, and St. Louis treated as States, would yield the following results for fiscal year 1970:

[In thousands]	
Description:	
New York State, total.....	\$35, 100
State excluding New York City.....	24, 720
New York City.....	10, 380
California, total.....	39, 760
State excluding San Francisco.....	38, 760
San Francisco.....	1, 000
Missouri, total.....	15, 120
State excluding St. Louis.....	13, 740
St. Louis.....	1, 380

Under present law, with funds apportioned among the 50 States, the District of Columbia, Guam, Puerto Rico, and the Virgin Islands, the States would be eligible to receive:

[In thousands]	
United States, total.....	\$600, 000
New York.....	33, 780
California.....	38, 160
Missouri.....	14, 940

Comparison of these two sets of estimates indicates the following increases in allocations if the apportionment is applied to three cities as though they are separate States:

[In thousands]	
New York State and City.....	\$1, 320
California and San Francisco.....	1, 600
Missouri and St. Louis.....	180

2. HOSPITAL CONSTRUCTION (HILL-BURTON)

Formula used for allocation: For each fiscal year, each State is entitled to an allotment bearing the same ratio to the sums appropriated as the product of the population of the State, and the square of the allotment percentage—based on per capita personal income—bears to the sum of the corresponding products for all the States.

Apportionment of the available appropriations, with the cities of New York, San Francisco, and St. Louis treated as States, would yield the following results for fiscal year 1970:

[In thousands]	
Description:	
New York State, total.....	\$6, 003
State excluding New York City.....	4, 228
New York City.....	1, 775
California, total.....	6, 783
State excluding San Francisco.....	6, 629
San Francisco.....	154
Missouri, total.....	2, 586
State excluding St. Louis.....	2, 350
St. Louis.....	236

Under present law, with funds apportioned among the 50 States, the District of Columbia, and outlying areas as specified, the States would be eligible to receive:

[In thousands]	
United States, total.....	\$102, 620
New York.....	5, 778
California.....	6, 527
Missouri.....	2, 555

Comparison of these two sets of estimates indicate the following increases in allocations if the apportionment is ap-

plied to the three cities as though they are separate States:

[In thousands]	
New York State and city	\$225
California and San Francisco	256
Missouri and St. Louis	31

3. WASTE TREATMENT WORKS CONSTRUCTION

Formula used for allocation: Of each year's appropriation, the first \$100,000,000 is allotted: First, half in proportion to population; and second, half according to the ratio of average personal income per capita for the United States to the average for each State. Any appropriations over \$100,000,000 are allotted in proportion to population.

Apportionment of the available appropriations, with the cities of New York, San Francisco, and St. Louis, treated as States, would yield the following results for fiscal year 1970:

[In thousands]	
Description:	
New York State, total	\$70,675
State excluding New York City	37,925
New York City	32,750
California, total	66,130
State excluding San Francisco	62,560
San Francisco	3,570
Missouri, total	17,985
State excluding St. Louis	14,160
St. Louis	3,825

Under present law, with funds apportioned among the 50 States, the District of Columbia, and outlying areas as specified, the States would be eligible to receive:

[In thousands]	
United States, total	\$800,000
New York	69,950
California	65,620
Missouri	17,275

Comparison of these two sets of estimates indicates the following increases in allocations if the apportionment is applied to the three cities as though they are separate States:

[In thousands]	
New York State and City	\$725
California and San Francisco	510
Missouri and St. Louis	710

4. PUBLIC COMMUNITY COLLEGES AND TECHNICAL INSTITUTES: CONSTRUCTION

Formula used for allocation: Comprising a portion of the appropriation for undergraduate facilities, these funds are apportioned on the basis of the product of the number of high school graduates and the allotment ratio—based on per capita personal income—for each State, in relation to the sum of the products for all States.

Apportionment of the available appropriations, with the cities of New York, San Francisco, and St. Louis treated as States, would yield the following results for fiscal year 1970:

[In thousands]	
Description:	
New York State, total	\$2,980
State excluding New York City	2,163
New York City	817
California, total	3,397

State excluding San Francisco	3,315
San Francisco	82
Missouri, total	1,014

State excluding St. Louis	950
St. Louis	64

Under present law, with funds apportioned among the 50 States, the District of Columbia, and outlying areas as specified, the States would be eligible to receive:

[In thousands]	
United States total	\$43,000
New York	2,872
California	3,332
Missouri	1,002

Comparison of these two sets of estimates indicates the following increases in allocations if the apportionment is applied to the three cities as though they are separate States:

[In thousands]	
New York State and City	\$108
California and San Francisco	65
Missouri and St. Louis	12

5. VOCATIONAL EDUCATION

Formula used for allocation. Available appropriations are allotted among the States on the basis of the numbers of persons in various age groups multiplied by the State's allotment ratio—based on per capita personal income. Each State's apportionment represents its percentage of the sum of the products for all the States.

Population data by age groups for San Francisco and St. Louis could not be obtained so that only a calculation of the New York City share was calculated for this program.

[In thousands]	
Description:	
New York State, total	\$16,785
State excluding New York City	9,587
New York City	7,198

Under present law, with funds apportioned among the 50 States, the District of Columbia, and outlying areas as specified, New York State would receive \$15,652,000.

The following tables show the amounts for federally aided hospital construction projects and waste treatment works projects in New York State and New York City. These figures are not comparable with estimates of amounts available for certain programs since many factors—project approval, priority lists, matching—influence the amount of aid actually received.

AMOUNT OF AID RECEIVED—HILL-BURTON HOSPITAL PROJECTS
[Amounts in thousands]

Fiscal year	New York City		New York State	
	Total	Federal aid	Total	Federal aid
1968	\$8,687	\$2,343	\$50,211	\$12,012
1969	8,050	2,600	61,413	14,669
1970 ¹	0	0	32,467	5,837
Cumulative from 1948 ¹	203,466	35,249	763,710	168,575

¹ As of Nov. 30, 1969.

Note: Amounts in a fiscal year are not necessarily confined to projects listed for that fiscal year but may include additional amounts (or reductions) for earlier projects. The figures are estimates and are not final for about 3 years following the year specified.

AMOUNT OF AID RECEIVED—WASTE TREATMENT WORKS PROJECTS
[Amounts in thousands]

Fiscal year	New York City		New York State	
	Total	Federal aid	Total	Federal aid
1968	\$229,682	\$4,460	\$294,173	\$19,393
1969	975	322	82,842	15,989
1970 ¹	21,644	207	209,051	9,037
Cumulative from 1957 ¹	291,851	7,896	966,181	90,222

¹ As of Jan. 31, 1970.

Note: Amounts in a fiscal year are not necessarily confined to projects listed for that fiscal year but may include additional amounts (or reductions) for earlier projects. The figures are estimates and are not final for the years shown.

PROGRESS IN VOCATIONAL AND TECHNICAL EDUCATION IN TEXAS

The SPEAKER pro tempore. Under a previous order of the House the Chair recognizes the gentleman from Texas (Mr. BUSH) for 5 minutes.

Mr. BUSH. Mr. Speaker, on June 5 of this year I had the privilege of touring the Texas State Technical Institute campus at Harlingen. For more than 2 hours I reviewed the progress the institute is making in the field of vocational education and came away deeply impressed by what I saw.

The Texas State Technical Institute is located on a former U.S. airbase. The base has been converted to use as a vocational-technical school. Hangars have been made into shops and classrooms. Barracks now serve as the dormitories for students. A building program is underway with two modern buildings going up for administration and classroom use.

The technical school now has more than 500 students enrolled, and approximately 80 percent of them are Mexican Americans. The school is bilingual, with both Spanish and English taught and spoken. Most importantly, when the students graduate, the skills they have obtained will mean numerous job offers from business and industrial firms because these students are being trained for jobs that actually exist.

The potential for growth and development of the school is recognized by many organizations. One such group, the Texas Independent Gainers Association, has made known its willingness to work with Texas State Technical Institute on a program designed to train workers as gainers and gainers' assistants. So that instruction would be as close to "on the job training" as possible, the association, in addition to recruiting students, would also obtain machines and mock-up systems from the industry and would assist in placement of graduates in year-round employment. Thus, the interest of the independent sector in such a program is easily seen.

But, much more can and should be done to enlarge the scope of activities of Texas State Technical Institute so that more skilled persons graduate and are placed in good employment. Everyone benefits from a program such as this—the student who graduates and becomes a wage-earner, and the businessmen who employ the well-trained person.

I wish the people in my home in Houston and some of the Members of Con-

gress in Washington could have made the tour of the school that day. At Texas State Technical Institute great work is being done by those who are training the students as well as the students themselves, who are working hard to improve their living conditions.

LEGISLATIVE REORGANIZATION ACT OF 1970

The SPEAKER pro tempore. Under a previous order of the House the Chair recognizes the gentleman from Iowa (Mr. SCHWENGEL) for 15 minutes.

Mr. SCHWENGEL. Mr. Speaker, yesterday, I attempted to call attention to the lack of action on the Legislative Reorganization Act of 1970 by means of some light humor. Today I have the same goal, but will utilize as my vehicle, an editorial which appeared in the Cedar Rapids Gazette on August fourth.

The editorial is entitled, "Wild Goose Chase?", and deals with the lack of action on the Legislative Reorganization Act of 1970. The main question raised by the editorial is whether or not the House has been leading the American public on a "wild goose chase" with respect to congressional reform. It is my sincere hope that our efforts to date, have not been a "wild goose chase." However, I am not so certain that is not the case.

Yesterday, I posed the rhetorical question, "Does anybody care?" The answer is quite clear, with respect to congressional reform. The American people care very much about congressional reform, and if we fail to produce meaningful reform, some of us may be reminded just how much they care in November.

Mr. Speaker, the following editorial from the Cedar Rapids Gazette, dated August 4, 1970, is the one to which I refer:

LEGISLATIVE REORGANIZATION ACT OF 1970

Well, the U.S. House of Representatives kept the people guessing for a while and then did just what most of us expected when leaders decided to put off until tomorrow a final showdown vote on the reorganization bill it has been working on for three weeks.

Those of us who never thought the House would vote reorganization were beginning to doubt our own skepticism when the House Leader came through with colors flying.

They reasoned that the reorganization bill would have to give way to more important legislation; that it would be taken up later. But other doubting Thomases, including some who are Members of Congress, honestly believe that tomorrow will never come in this case; that the leaders will let the bill die a quiet death even though it appeared to be in above-normal health when it was set aside.

Perhaps the leaders felt too much progress was being made toward reorganization and they couldn't have that. Two of the most significant gains, in the form of amendments adopted on the House floor, have been publicized in this space recently. One would require record votes in committee of the whole if requested by 20 or more Members and the other would eliminate proxy voting in committees and require public announcement of committee votes.

We hope our appraisal of the situation is 100% wrong. We hope the House will return to the reorganization bill and pass it before the session ends. But, judging by past performances, we're not convinced at this point this will happen. If it does, we'll be delighted

enough to eat a little crow. If it doesn't it can only mean that, once again, Congress is going against the will of the electorate, for surveys are conclusive that the people—and presumably they are still in control of this government—favor reasonable reorganization of the legislative branch.

COMMENTS OF PAUL JENNINGS BEFORE SUBCOMMITTEE ON FOREIGN ECONOMIC POLICY OF THE JOINT ECONOMIC COMMITTEE

The SPEAKER pro tempore. Under a previous order of the House the Chair recognizes the gentleman from Pennsylvania (Mr. DENT) for 30 minutes.

Mr. DENT. Mr. Speaker, I am taking this time today to make a few remarks before presenting to the Congress, for their information, a statement by Paul Jennings, president of the IUE, affiliated with AFL-CIO, before the Subcommittee on Foreign Economic Policy of the Joint Economic Committee.

In this particular statement, President Jennings addressed himself to a very serious problem, the economic impact on our domestic economy by the multinational corporations and international investments. I share President Jennings' serious thoughts and apprehensions in this matter.

In 1958, President Eisenhower first proposed tax and other credits to all American corporations and entities who would invest in foreign countries in order to, as he put it, "reduce the need of U.S. foreign economic aid." This proposal was sold to Congress at that time and has been resold ever since. While the goal of the proposal sounded good it has followed a line completely opposite than that for which it was intended.

In 1960 and 1961, I questioned the long-range economic impact of foreign investments, and multinational production facilities.

President Jennings performed a great service by rendering a most thorough appraisal of the cold facts.

The transfer of American know-how and finances to foreign shores for the purpose of producing for consumption in the American marketplace results in shutdown of domestic production facilities, and cutbacks in domestic employment. This poses a serious danger to the American peacetime economy as well as to our defense capabilities, and can no longer be ignored.

It would do this Nation the greatest good if every Member of Congress would read President Jennings' statement, and then spend a little time analyzing what it portends for the future of the United States.

President Paul Jennings' statement is as follows:

STATEMENT OF PAUL JENNINGS BEFORE SUBCOMMITTEE ON FOREIGN ECONOMIC POLICY OF THE JOINT ECONOMIC COMMITTEE, JULY 28, 1970

My name is Paul Jennings and I am appearing here today as Chairman of the Committee on World Trade of the Industrial Union Department of the AFL-CIO. I am President of the International Union of Electrical, Radio and Machine Workers, AFL-CIO.

I want to express my appreciation for the Committee's invitation to appear before it

and to address myself to the questions of the multinational corporation and international investment.

1. U.S.-based multinational corporations were expected to spend \$12.7 billion on foreign plants and equipment in 1970, an increase of 20 percent, or \$2.1 billion, above the estimated \$10.6 billion in 1969. In 1968, direct investments of U.S. firms in foreign subsidiaries, plants and other facilities amounted to \$9.3 billion. In 1960, the figure was \$3.8 billion. Such investments are financed partly by U.S. capital outflows, partly by retained profits and depreciation of foreign subsidiaries, partly by foreign-raised capital.

Outlays of U.S. companies for new plant and equipment in foreign manufacturing facilities—exclusive of oil, mining and other activities—jumped from \$1.4 billion in 1960 to \$4.5 billion in 1967. Outlays reached \$5 billion in 1969, according to a McGraw-Hill business survey, and should reach \$5.6 billion this year. Between 1967 and 1969, investment in foreign plants and equipment in the electrical-electronics industries alone totaled more than \$1 billion.

The figures on plant and equipment outlays are a mere token of the total size and scope of the changes now taking place even for direct investment. But these figures have shown a growth of at least 10% yearly for the past 10 years.

As a recent issue of the *Journal of Marketing* (July 1970) explained, "A development of this magnitude will inevitably shape the international environment for business in the 70's and beyond. Its implications for academicians, businessmen and government policy makers have not yet been fully appreciated."

The figures on U.S.-based outlays are reportedly better than those of multinationals based in other countries. The spread of U.S.-based multinationals abroad has been called the "American Challenge." This term is a misleading label. The multinational corporation's planning is not necessarily American. It is related to the firm's advantage, not to the advantage of the nation. (What's good for General Motors is not necessarily good for the U.S.A. What's good for Mitsubishi or Toshiba is not necessarily good for Japan. What's good for Lever Brothers is not necessarily good for the United Kingdom. What's good for SKF is not necessarily good for Sweden. What's good for Massey-Ferguson is not necessarily good for Canada. In fact, the new developments these changes bring about may show that General Motors doesn't know what's good for General Motors, etc., much less for the U.S.A. etc.)

2. In the past 25 years, U.S.-based multinational firms established an estimated 8,000 foreign subsidiaries, mostly in manufacturing. The annual foreign output of these multinational firms ranges between \$120 billion and \$200 billion, a total greater than the total output of any nation on the globe, with the exception of the United States, the Soviet Union, and possibly, now, Japan.

Let me cite output and sales statistics of three of the largest multinational firms with whom my union has collective bargaining relationships: In 1969, annual sales of the foreign subsidiaries of the General Electric Company were about \$1 billion. General Motors, which makes electrical appliances and equipment, as well as cars and trucks, reported 1969 sales of its foreign subsidiaries as \$3.4 billion. 1.4 billion of its cars and trucks—out of 7,160,000 sold in 1969—were manufactured in its overseas plants. In 1968, 40 percent of corporate sales, about \$1.5 billion, of the I.T.T. corporation were made by its foreign subsidiaries, other than those in Canada.

Other U.S.-based corporations share this kind of output and sales. In 1969, IBM had \$2.5 billion in sales outside the U.S., for example.

(The U.S. government has no access to meaningful data on these firms. The public has less. The latest published survey of sales of foreign affiliates of U.S. firms is based on 1964 figures. A new report, according to the U.S. Department of Commerce, will not be available until 1971 or 1972. The data will be from a 1966 survey).

These are only a few of the several hundred well-known U.S. names involved in the new world of global conglomerates, multi-nationals and conglomerate-multinationals.

3. The figures, dramatic, startling as they may be, therefore, do not fully explain what is actually occurring now. There seems to be a kind of speedup on the part of multinational firms to transfer plants, production, products and technology—and jobs—outside the borders of the United States. Entire industries, growth industries, in fact, badly needed here, and many thousands of urgently needed jobs, are exported. To many of us in labor, it portends a mass exodus.

For, despite the reluctance of firms to disclose facts, the trend is marked and it is accelerating. *Fortune*, in its April 1970 issue, reports that U.S. food processing companies that have moved into Mexico are exporting frozen strawberries into the U.S., 88 million pounds of them, worth close to \$15 million last year. Afraid of protectionist sentiments in the U.S., the companies will not "admit to freezing a single strawberry south of the border." A major reason for their reticence is that "imports of Mexican frozen strawberries have seriously depressed the Louisiana strawberry industry," and "nearly half the acreage planted to strawberries . . . has had to be shifted to other uses."

In my own industry, and in industries closely related, we have seen plant after plant shut down in recent years, their production discontinued, products, technology and jobs exported to offshore manufacturing facilities of the same multinational firms.

Zenith, Admiral, Ford-Philco, RCA and others, for example, have recently shifted monochrome and color TV set production to Taiwan. Last year, Westinghouse closed its Edison, N.J. TV plant and transferred production to one of its Canadian facilities as well as to Japanese firms. It imports sets now for distribution under its own label.

Emerson Radio and Phono division of National Union Electric also discontinued production of TV sets, closing down its Jersey City, N.J. plant, and transferring production to Admiral, which, in turn, transferred production of major TV product lines to Taiwan. Warwick Electronics transferred production from its Arkansas and Illinois plants, to its Mexican facility. The rush to relocate outside the U.S. is on. At this time, practically all radio sets, tape recorders and cassettes sold in this country are produced abroad, and before long the same may be true of black and white and color TV sets. Currently, about half the black and white sets and about 20-25 percent of the color sets sold here are produced abroad. Some growth products, such as home video tape recorders, will not even be produced in this country because patents held by Ampex Corp. have been licensed to Japanese firms.

About a year ago, General Instrument Corp. transferred TV tuner and other component production to its Taiwan and Portuguese plants, shutting down two New England plants and most of a third. Between 3,000 and 4,000 workers were permanently laid off. General Instrument increased its employment in Taiwan from 7,200 to over 12,000. General Instrument is that nation's largest employer, with more workers employed there than in all its U.S. operations combined.

A few months ago, Motorola shut down its picture tube plant, selling its machinery and equipment to a General Telephone and Electronics subsidiary in Hong Kong. A second

picture tube firm commenced operations in Mexico, taking advantage of Item 807 of the Tariff Schedules. Friden, a division of Singer Corp., and Burroughs, both discontinued production of electronic desk calculators. Their desk calculators are now made for them in Japan by Hitachi and other Japanese firms. The calculators are sold in the U.S. by their former manufacturers under the latter's label. So, here we have another growth industry that U.S.-based multinational firms have abandoned as producers—becoming importers of the products they once made.

The household sewing machine is but one more item in the growing list of product casualties, though, as a casualty, it can probably claim seniority over others. Of each three machines sold in the U.S. under Singer's label, two are made in its foreign-based plants.

Still another product line to be added to the casualty list is typewriters, portables and larger models. A decade ago, Sperry Rand closed out typewriter production in its Iliion, N.Y. plant, shifting production to its European plants. Now, the company's Remington typewriters are made in Japan under the Remington label by the Brothers firm. Just recently, Litton Industries shut down Royal typewriter plants, transferring production to a Japanese firm. After acquiring Royal McBee, Litton acquired Imperial Typewriters Ltd., in Great Britain, and, later, Triumph and Adlerwerke in Germany, acquisitions the Justice Department's Anti-Trust Division felt merited its attention.

These examples are proliferating and unnoticed. Names that have fixed meanings among economists and the public press alike—Sears Roebuck, Union Carbide for example—should have new meaning as multinationals are better understood. Sears Roebuck reportedly manufactures shoes in Spain, and Union Carbide processes shrimp in India—for sale in the U.S. market—according to a recent *Fortune* magazine story. Food processing names like H. J. Heinz and General Foods are world wide. Genesco, Interco, and other well known shoe industry names are not only multinational, but conglomerates. Glass manufacturing companies like, Libby Owens Ford, Owens Corning, Pittsburgh Plate, for example, have foreign affiliates. And well known names in the paper industry—like Kimberly Clark—have worldwide units. Dupont and Monsanto—chemical firms in the public eye—are makers of synthetic fibres and yarns, nylon and chemstrand. Machinery names like Cutler-Hammer, U.S. toy names like Mattel turn out to be global conglomerate multinationals, too.

4. Several hundred U.S. firms, it is estimated, have set up plants in Mexico, below the border under the program advertised as plants on the Mexican side of the border assemble parts and components shipped to them by their U.S. parent, and then return them for final processing to a "twin plant" somewhere in the U.S. Duty is paid only on a "twin plant" concept. Under this concept, "value added."

In actual practice, work and jobs are transferred from the U.S. to Mexico in order to take advantage of the cheap labor available at 30-40 cents an hour. In transferring production of TV lines from Warwick Electronics' Illinois and Arkansas plants, approximately 2,000 U.S. jobs have disappeared. Advance Ross Electronics transferred 250 jobs to Juarez, Mexico from El Paso, then set up a U.S. facility with about 15 employees. Transitron has 1,500 workers in its Laredo, Mexico plant and only management personnel in Laredo, Texas.

Let me quote from an advertisement that appeared in the Wall Street Journal on January 26, 1970: "Mr. President: Don't be embarrassed at your next board meeting," it reads, "when the question-asker on the

board asks: 'What's going on in Tucson, Arizona that caused Motorola, Control Data, Kimberly-Clark, Lear Jet Stereo and Philco Ford to establish plants there?'"

The straight-to-the-point answer is: "Twin plant in Nogales, Mexico only one hour away . . . 30 cents per hour labor . . . more profitable than Japan, Hong Kong or Taiwan."

The executive director of DATE (Development Authority for Tucson's Expansion), which inserted this ad, is quoted in a letter from former columnist, Inez Robb, published on February 18, 1969 in the Arizona Daily Star, as publicly stating (though in connection with the apparel industry):

"We are not referring to the labor supply in Tucson or the wage rate here. That mailing was directed to some 700 apparel companies that we have reason to believe may be looking for a location outside the United States."

The impact spreads across both Mexico and the U.S. More than 1,000 U.S. firms are in Mexico proper—and no one knows whether the twin plant is really part of a set of quintuplets or a "population explosion" of multinational subsidiaries.

More recently, evidence that the twin-plant concept is already worldwide shows in reports about Korea, Taiwan, and more recently Haiti (whose labor rates are advertised as below those in the Far East). Barbados and other Caribbean countries are increasingly involved. Firms using those new labor-export concepts ranging from multinationals to tiny plants, but an increasing number turn out to be inter-related with multinationals. Thus a small plant in Alabama is a "twin plant" with Japanese production and a small plant in Texas turns out to be a subsidiary of a global conglomerate which is merely adjusting its costs worldwide. Imports from Brazil now include office machinery parts—again under the so-called "twin plant" arrangement.

5. The electrical-electronics industries have spawned and nourished a very considerable number of our multinational giants and conglomerates. The growth of the industry, particularly its electronics segment, has been spurred by heavy government support. More than half of this year's \$25 billion in sales of electronics instruments, devices and equipment is to the Federal government's Defense Department, NASA and FAA. Government contracts have likewise sustained the computer industry. This year's total awards to this industry has been reported as over \$2 billion.

The Federal government has been a substantial and generous customer down through the years. Additionally, it has contributed very significantly to the industries' technological growth through initiation and support of the industries' research and development programs. More than two-thirds of the \$22-\$23 billion R & D outlays in electronics and communications equipment between 1957 and 1965 were Federal funds—i.e., taxpayers' money. Annual R&D outlays have since increased but the Federal portion has not declined.

The technological lead of American electronic firms was made possible only through government support. As the OECD Directorate for Scientific Affairs points out, "Semiconductors, numerical control, electronic computers . . . as well as a host of other less significant innovations owe their development to Federal support." A great many of these basic, government-subsidized, privately patented inventions have been licensed to foreign, especially Japanese, competitors. The latter pay royalties to the U.S. multinational firms holding these patents.

General Electric, for example, has licensed Japanese companies to produce parallel phase detector circuits for TV receiving sets; optical gunsights; transistors and semicon-

ductor elements; lamps, including mercury and infra-red lamps; television receiver converter circuitry, color photographic camera systems; steam turbine electric generators, etc.

RCA has licensed Japanese firms in the following components, products and processes, among others: magnetic memory cores; electron microscopes; electrostatic cameras; color picture tubes; photoconductors and photoconductive elements; loudspeaker devices; "monolithic" integrated circuits; etc.

Other multinational U.S.-based firms that have licensed Japanese firms include: Westinghouse, IBM, Sperry-Rand, CBS, Bendix, Zenith Radio, Fairchild Camera & Instrument, Allis Chalmers, Singer Company, Texas Instrument, etc. Licensing agreements cover color picture tubes, video tape recorders, computer data processing devices, navigational instruments, planar semiconductors including integrated circuitry, micro-electronic equipment, etc., etc.

Similar licensing agreements exist in almost every major industry—machinery, chemicals, steel, rubber, etc. as well as in soft goods industries as apparel, shoes, or even hats. Stetson hats have been licensed or franchised for foreign production for years.

An advertisement in the Wall Street Journal on July 15, 1970 seeks the U.S. patent holder with a U.S. market for a license to produce the patented product in Mexico.

The same U.S.-owned firms, however, now argue they must transfer production—and jobs—from U.S. plants to offshore plants in Taiwan, Korea, Hong Kong, Singapore, Mexico, Europe and elsewhere if they are to be able to meet Japanese and other non-U.S. "competition." In all these offshore countries, it should be noted, wage costs are far below the wage levels in Japan—indeed, anywhere from less than 20 percent to 40 percent of Japanese wages.

This kind of interchange is often analyzed as if only factors of free exchange between two countries were involved. It is important to remember that the need for a license is the opposite of free economic exchange—a patent is by definition a monopoly on the product or process. It is also a fact that a company may be required to produce a product in a foreign country—most developing countries—in order to sell there, while imports into the country are regulated.

6. In addition to cheap labor, there are other benefits that accrue to the multinational firm when it shuts down domestic operations and relocates abroad. To illustrate some of these benefits, let me quote from an article in *Business Week* (July 11, 1970):

"Besides its labor pool, Taiwan offers foreign companies other bait: a five year holiday from income tax and low taxes thereafter; unlimited remittance of earnings; 100% foreign ownership; and duty-free import of most material and machinery. The government offers other concessions such as low-interest loans for up to 70% of the value of a plant, and free transportation of goods to and from cargo ships."

A similar, rather typical report, appeared in the *Journal of Commerce* recently about Singapore: "Formal exemption from Singapore income tax, to a new group of U.S. companies. Recipients of these 'pioneer certificates' were Esso, General Electric, Union Carbide, Gulf Oil, Electronic Memories and Magnetics, Litton Industries and California Pellet Mills."

Low rents, favorable interest rates, tax loopholes, immunity from various regulations, and other concessions not available in the U.S. are today's "comparative advantages." U.S. tax loopholes encourage U.S. firms to export production by deferring tax payments on income earned overseas.

Multinational corporations can use tax

havens like this world wide. A recent study, in a magazine called *Management Science* said: "... in which liquid assets are sent to subsidiaries when needed, by manipulating transfer prices, managerial fees and royalties, dividends and intersubsidiary loans so as to minimize taxes paid to the world minus interest received."

Concessions to relocate are nothing new in our industry—and in other industries as well. Free or low rent, local tax concessions and cheaper labor costs have been used to attract industry from industrial to rural regions of the U.S. Such concessions, however, do not compare in scope or in scale to the many new "comparative advantages" available to the multinational firm.

"Concessions" in developed countries of the Common Market and Canada—tax arrangements, subsidies for exports, etc. also exist. A November-December *Harvard Business Review* explained that "In 1960 Belgium sought investments in modern technological industries. Both national and local sources offered very attractive tax incentives and funding relationships to develop the proper industries and companies. Domestic capitalists and companies were preoccupied with their problems and did not respond, while multinational companies did."

Nor do they compare in economic analysis or impact because the U.S. economy started as one nation with a free flow of goods and services and labor moving freely among the several states. A U.S. minimum wage floor could be established and enforced, because there was no wall in one direction or a foreign government or a foreign culture.

7. Capital has an enviable and increasing mobility. Its mobility is world-wide in scope. Factory workers have very little mobility. Equipment process know-how, engineering and managerial skills, can all be readily shifted to offshore low wage areas. Workers, on the other hand, must usually remain in their communities.

Multinational firms are constantly adding to and improving their mobility, transferring operations, technology and resources in accordance with corporate profit objectives. Workers may improve their productivity and skills, but they cannot overcome their basic "disadvantage"—their high wages and benefits, compared with those prevailing in other parts of the world.

A recent survey of 167 IUE shops showed 55 had a minimum plant wage of less than \$2 an hour. Two dollars an hour is just over \$4,000 a year. The Administration, in its welfare legislation, puts the poverty line at \$3,920 for a family of four persons.

But even if we were to reduce wages to \$1.60 an hour, the legal minimum, American workers cannot compete with wages of 10 cents to 30 cents an hour paid to Far Eastern and Mexican workers. Nor could American workers become competitive by increasing their man-hour productivity. In my industry, annual increases in man-hour productivity during the 60's approximated 4 percent. Wage and fringe benefit gains from 1960 to 1969 averaged 2.8 percent a year at General Electric and 2.6 percent a year at Westinghouse.

8. The American trade balance has declined from a high \$5 billion annual surplus, and, omitting government-financed exports, has shown a deficit in recent years. The rate of rise of U.S. imports has outstripped the increase in U.S. exports since 1962 by a ratio of about 1½ to 1. The increase in imports of consumer goods has been particularly large. Imports of consumer electronic products, for example, tripled between 1966 and 1969, almost reaching the billion dollar level. Roughly similar high import increases were reported in a number of other consumer industries.

The electrical-electronics industry as a whole, depending on how it is measured, remains a trade surplus industry, but, while the ratio of exports to imports was 3.9 to 1 in 1960, it declined to 1.4 to 1 in 1969. If we were to eliminate government-financed exports, the current ratio would show an even steeper drop.

Employment, of course, has been affected. In the electronics segment, we estimate a drop in employment since 1966 of over 60,000 jobs of workers. What is perhaps of equal importance is that the labor force will increase substantially during the next 5 years.

9. In today's world of multinational corporations, in a world, that is, in which technology, products, production techniques, and jobs are readily exportable, and in which licensing agreements and joint ventures are common, traditional theories of international trade are no longer applicable.

One reason for this was explained in a recent article in the March 1970 *Journal of Economic History* on "Non-Market Trade" where it is pointed out that much of the trade of the world is now intra-corporate or "non-market trade." The author says, "I have in mind, first of all, the modern multinational corporation with its trade between parent and subsidiary (and among subsidiaries) in different countries. The prices at which goods such as parts, components, and finished products change hands are governed chiefly by taxation and accounting advantages obtainable in the various countries where the corporation is located. Prices are set accordingly and bear no necessary relation to the market prices for these goods (if indeed market prices exist for them at all). There is no doubt that these transactions are generally regarded as trade, for they are universally included in the foreign trade and balance of payments statistics of the respective countries. Subsidiaries, moreover, are formally incorporated in the countries in which they are located."

"A second example is the trade between the state-trading corporations of communist countries. A variety of factors govern the prices at which goods are traded here, including the political relations and national security objectives of members of the communist bloc. Such prices bear no necessary relation to world market prices for these same goods."

"These two instances differ as much from each other as they differ respectively from conventional market trade. What these examples do share in common can be described negatively: the partners to these trade transactions are not trading at arm's length, and the prices are not formed in the market. Unless we are prepared to exclude such transactions from our concept of trade (thus excluding a rapidly growing portion of world commerce), we must accept in the present period the existence side by side of market and non-market trade in the international economy. (Those who deny that the above examples constitute trade must of necessity provide some alternative designation for goods which are formally bought and sold and shipped across international borders by corporations which are legally discrete entities.)"

There is an urgent need to develop world trade on a rational basis, designed to benefit the world's people. The growth must be orderly, equitable, and must contribute to real growth in living standards. In our pursuit of this objective, we cannot permit living standards already achieved—as in this country—to be threatened or undermined. Nor can we permit our growth industries and the employment they generate to be exported at a time of substantial increases in the labor force, and at a time when we are trying desperately to find jobs for the unemployed and underemployed poor.

**MOTOR CARRIERS SAFETY
ENFORCEMENT ACT**

The SPEAKER pro tempore. Under a previous order of the House the Chair recognizes the gentleman from Pennsylvania (Mr. ROONEY) for 15 minutes.

Mr. ROONEY of Pennsylvania. Mr. Speaker, a month ago a tragic bus accident on U.S. Route 22 west of Allentown, Pa., in my congressional district took the lives of seven children and resulted in injuries to 52 children and adults.

Since that tragedy my office has been gathering information and studying existing legislation—State and Federal—to determine what can be done to prevent such accidents from recurring, or at the very least to reduce the risk of their recurrence.

This is a slow and frustrating procedure. Almost every aspect of the crash points up some flaw, some omission, some oversight, some weakness in existing laws, policies and regulations, or in enforcement or compliance. Many of these, quite frankly, are the result of limited funds. But in certain others, funding is not a consideration.

My own study of this tragedy is continuing and will not be concluded until the House reconvenes in September. However, at this point, one area warranting congressional attention can be identified and made the target for legislative action. This is the cumbersome and often ineffective route that must be followed by the Department of Transportation to enforce safety procedures and to successfully prosecute violators.

For this reason, I am introducing a measure which for purposes of identification I will call the "Motor Carrier Safety Enforcement Act." Its objective is simply to give DOT greater flexibility, and more effective economic penalties, to wield in requiring motor carriers to observe established safety regulations and procedures.

At present, most safety violations can be prosecuted only by way of criminal proceedings. By giving the Department of Transportation the alternative to initiate civil proceedings, disposition of alleged violations can be speeded.

In addition, the measure would impose substantially higher fines for offenses to serve as a deterrent to safety violations. Current penalties range from \$100 to \$250 for first offenses and \$200 to \$500 for subsequent offenses. The Motor Carrier Safety Enforcement Act would hike first offense penalties to a range of \$250 to \$1,000 and subsequent offenses to a range of \$500 to \$2,000.

As a further deterrent to disregard for safety regulations or the apparent acceptance of some carriers on occasional penalties as a "cost of doing business," the bill also stipulates that each day a violation exists shall constitute a separate offense.

In this way, the chronic offender will soon find that flaunting of safety regulations will subject him to an economic burden of such proportions that he will adhere to the regulations or go out of business.

Another key feature of the bill is that it makes clear the "performance of an act which violates the motor carrier safety

regulations is sufficient basis for conviction." Some courts have held, incorrectly, that the present statute makes ignorance of the law or the regulations a defense to prosecution for violating them.

This is clearly an inappropriate requirement where the unsafe practice, rather than the intent to commit it, is what is proscribed for the public's protection.

This measure, Mr. Speaker, is stiff. That is precisely what I intended it to be.

Only if we are prepared to enforce safety regulations can they possibly serve the public interest in the manner intended.

Within the next few weeks I will propose still other measures that I feel warrant enactment if we are to achieve a meaningful highway safety program in this Nation. The bus crash on the Lehigh Valley Thruway was but one more tragic reminder that we have not yet done nearly enough.

The bill and section-by-section analysis follow:

H.R. 18918

A bill to amend the Interstate Commerce Act to provide increased fines for violation of the Motor Carrier Safety Regulations, to extend the application of civil penalties to all violations of the Motor Carrier Safety Regulations, to permit suspension or revocation of operating rights for violation of safety regulations, and for other purposes

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 222 of part II of the Interstate Commerce Act, as amended (49 U.S.C. 322), is amended as follows:

(1) by redesignating subsection 222(a) (49 U.S.C. 322(a)) as subsection 222(a) (1) and adding a new subsection 222(a) (2) to read as follows:

"Sec. 222. (a) (2) Any person who knowingly commits an act in violation of any requirement, rule, regulation or order promulgated by the Secretary of Transportation under section 204 of this part relating to qualifications and maximum hours of service of employees and safety of operation and equipment shall be fined not less than \$250 nor more than \$1,000 for the first offense and not less than \$500 nor more than \$2,000 for any subsequent offense. Each day of such violation shall constitute a separate offense."

(2) by redesignating subsection 222(h) (49 U.S.C. 322(h)) as subsection 222(h) (1) and adding a new subsection 222(h) (2) to read as follows:

"Sec. 222(h) (2). Any motor carrier, private carrier, carrier of migrant workers by motor vehicle, or other person who violates any requirement, rule, regulation, or order of the Secretary of Transportation described in subsection 222(h) (1) or promulgated under section 204 of this part as it relates to qualifications and maximum hours of service of employees or safety of operations and equipment shall be subject to the penalties specified in subsection 222(h) (1)."; and

(3) by adding a new subsection 222(i) (49 U.S.C. 322(i)) to read as follows:

"Sec. 222(i). In administering the functions, powers, and duties transferred by section 6(e) of the Department of Transportation Act, 80 Stat. 931, 939-940, the Secretary of Transportation may, without notice, order for a period of up to 60 days any common, contract, or private carrier to cease and desist from operating motor vehicles in interstate commerce where he, for good cause, finds that the carrier's operations will create an unreasonable risk of accident, injury or

death to persons or damage to property. If the carrier is operating under a certificate granted by the Interstate Commerce Commission, the Secretary shall immediately notify the Commission, which shall upon notice hold a hearing and determine within 60 days whether the operating rights of the carrier should be further suspended or revoked for the public safety. If the carrier is not operating under a certificate granted by the Commission, the Secretary shall upon notice hold a hearing and determine within 60 days whether the cease and desist order should be extended, and for what period of time. The provisions of 28 U.S.C. respecting three-judge district courts shall not apply to proceedings to restrain the enforcement, operation or execution in whole or in part of any order of the Secretary issued under this section."

**SECTION-BY-SECTION ANALYSIS OF H.R. 18918,
THE MOTOR CARRIER SAFETY ENFORCEMENT
ACT**

To amend the Interstate Commerce Act to provide increased fines for violation of the Motor Carrier Safety Regulations, to extend the application of civil penalties to all violations of the Motor Carrier Safety Regulations, to permit suspension or revocation of operating rights for violation of safety regulations, and for other purposes.

General.—This bill is designed to vest the Secretary of Transportation, who is primarily responsible for highway safety, with adequate authority to carry out that responsibility in the field of interstate bus and trucking operations, and, to provide realistic penalties for violation of the Motor Carrier Safety Regulations sufficient to serve as effective deterrents against hazardous operations. The substance of statutory provisions governing violations of Interstate Commerce Commission orders, rules, and regulations, now covered by the provision amended, would not be changed but renumbered where necessary.

SECTION 1 (1)

This subsection would renumber existing subsection 222(a) of the Interstate Commerce Act (49 U.S.C. 322(a)) as subsection 222(a) (1) and enact a new subsection 222(a) (2). The new subsection would increase the fines for violating the Motor Carrier Safety Regulations (49 C.F.R. parts 390-397) to a range of \$250 to \$1000 for first offenses and \$500 to \$2000 for subsequent offenses. The present range of permissible penalties, \$100 to \$250 for first offenses and \$200 to \$500 for subsequent ones, is not sufficient to serve as an adequate deterrent. Many carriers simply write off the present low fines as a minor cost of doing business and continue their dangerous and unsafe practices in violation of the regulations.

The new subsection is also drafted to make clear that the doing of an act which violates the motor carrier safety regulations is sufficient for conviction. Some courts have held, incorrectly, that the present statute makes ignorance of the law or the regulations a defense to prosecution for violating them. This is clearly an inappropriate requirement where the unsafe practice, rather than the intent to commit it, is what is proscribed for the public's protection.

SECTION 1 (2)

This subsection would redesignate existing subsection 222(h) (49 U.S.C. 322(h)) as subsection 222(h) (1) and enact a new subsection 222(h) (2). The new subsection would extend the application of civil penalties to all violations of the Motor Carrier Safety Regulations. The present law (49 U.S.C. 322(h)) allows the assessment of civil forfeiture against common and contract motor carriers which fail to comply with the Motor Carrier Safety Regulations governing the keeping of records and the filing of reports. All other violations of these regulations are subject to criminal sanctions only.

This requires resort to the criminal process for many relatively minor infractions. The change made by this provision will allow the criminal sanctions to be reserved for repeated offenders and gross or flagrant flouting of the safety rules.

This subsection would also deal with the problem of uneven application of sanctions. The civil penalty provisions for violations of reporting and recordkeeping regulations presently apply only to "common" and "contract" carriers by motor vehicle (49 U.S.C. 322(h)). For the identical type of violation, carriers of private property and migrant workers are subjected to criminal sanctions. This unjustified distinction would be eliminated by making the civil penalties applicable to all classes of interstate motor carrier operators. In this way criminal sanctions could be reserved for flagrant or repeated offenders.

SECTION 1(3)

This subsection would add a new subsection 222(1) to the Act (49 U.S.C. 322(1)). Section 6(e) of the Department of Transportation Act (49 U.S.C. 1655(e)) transferred responsibility for enforcing the laws governing the safety of interstate bus and trucking operations from the ICC to the Secretary of Transportation. However, the Secretary was not authorized to suspend or revoke operating rights for violation of safety regulations; this authority remained with the ICC. Section 1(3) would add a new subsection 222(1) to the Act to give the Secretary such suspension and revocation authority. This will equip the responsible agency with expertise in highway and traffic safety to deal expeditiously and effectively with unsafe operators.

New subsection 222(1) would be applicable to all classes of interstate over-the-road carriers subject to regulation under the Interstate Commerce Act, whether common, contract, or private carriers and including carriers of migrant workers by motor vehicle. The Secretary would be authorized, after an adjudicatory hearing in accordance with the Administrative Procedure Act (5 U.S.C. 544-557), to suspend for up to six months, or to revoke entirely if warranted, a carrier's right to operate in interstate commerce. Such action could be taken only where substantial evidence in the hearing record supported by the Secretary's determination that a carrier's operation in violation of the safety regulations were such as to create an unreasonable risk of injury or death to persons or damage to property. In extreme situations, the Secretary could suspend dangerous operators for up to 60 days prior to hearing. In such event, however, the Secretary would be obligated to expedite the required hearing and hold it as soon as possible after the suspension order.

Finally, the last sentence of this subsection eliminates the need to convene a three-judge district court to entertain a carrier's suit to enjoin one of the Secretary's orders. Such a court is now required by 28 U.S.C. 2325 and carried over from ICC practice to the Secretary's proceedings by section 4(c) of the DOT Act. (49 U.S.C. 1653(c)). The cumbersome procedures of three-judge district courts, created many years ago to deal with constitutionally based challenges to ICC orders, are no longer appropriate nor necessary to review instances of motor carrier safety violations. Indeed, the ICC itself is on record as favoring the elimination of the three-judge court requirement, and is supported in its contentions by the Administrative Conference of the United States.

PRESIDENT'S VETO OF FISCAL 1971 EDUCATIONAL APPROPRIATION

The SPEAKER pro tempore. Under a previous order of the House the Chair recognizes the gentleman from California (Mr. COHELAN) for 10 minutes.

Mr. COHELAN. Mr. Speaker, I am ab-

solutely appalled that the President, in the face of an overriding showing of need, could veto the fiscal 1971 education appropriation; an appropriation but minimally adequate to fund our basic educational programs. In his splendid isolation the President has chosen to ignore our most precious national asset—the children of our country.

President Nixon chooses to sell our children's future for a porridge of anti-inflation rhetoric. And I do mean rhetoric, for this gratuitous and ill-advised slap in the face of the beneficiaries of our federally funded education programs is nothing more than affirmation of the charge that our highest elected official moves in a world divorced from the reality of our pressing concerns content to play the strings of political expedience and false economy.

This discordant theme may appeal to some of the electorates, but is hardly fitting for the holder of our highest national office.

I have been accused by the House minority leader of being one of the "big spenders" in Congress.

I accepted this appellation with no misgivings as I take it to mean that the administration finds fault with my advocacy of a decent education and decent housing for all our citizens.

I only wish that this charge were, in fact, true. I wish Congress could claim to be "big spenders" for our citizens. What did we spend? We voted to spend a mere \$4.4 billion for education this coming year. \$4.4 billion. That is merely equivalent to the cost overruns on some military weapons systems. It is equivalent to the petty cash account of the President's vaunted Safeguard ABM.

And for what reason is a veto announced? It is vetoed because the Congress dared to add \$453 million to the sacrosanct budget request. I might add that our appropriation was about one-half of the amount authorized by the Education and Labor Committee. Our appropriation was but a fraction of the amount called for by the President's own Commission on Urban Education. Our appropriation was, in comparison with our needs, a pitiful nod in the direction of quality education. Yet, the President of the United States has decided to veto education. The President, for the second time in 2 years, has decided to veto our children's future.

I have no doubt that Congress will override this veto. I only hope that the majority will be an overwhelming repudiation of the President's insult to the American people.

UNEMPLOYMENT AND INFLATION

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

Mr. KOCH. Mr. Speaker, President Nixon came to office promising to control inflation. There were many of us who expressed fears that he would unnecessarily sacrifice full employment in his efforts to keep that promise.

Our fears were justified. Under the Nixon administration, the unemployment rate has climbed from the low 3.3

percent he inherited from the Johnson administration to the present 5 percent—the highest level in 6 years. Americans have been joining the ranks of the unemployed at the rate of 1 million a year since Mr. Nixon took office. In July, 4½ million people were jobless.

Our present unemployment is not, as the President claims, a result of converting from a wartime to a peacetime economy. The 1970 Pentagon spending was almost constant with the 1969 outlays. This unemployment is the direct result of the contrived economic slowdown.

And still inflation has not been brought under control; it has accelerated drastically. The cost of living continues to rise. Consumer costs have reached new levels and interest rates are at the highest in a century.

This did not just happen. This is a direct result of the Nixon engineering of the economy.

Until his policies are changed, we can expect to face more highs in unemployment.

FORT KNOX FIRST STUDENT CREDIT UNION—WHY IT IS A PIONEER

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

Mr. PATMAN. Mr. Speaker, on June 5, the Fort Knox First Student Credit Union held its second annual meeting. This unique institution, which is run entirely by the students of the Fort Knox High School, is designed to provide first-hand consumer economic education to students that they might not otherwise receive.

In the 15 months that the credit union has been in operation, it has attracted some 240 student members and accumulated savings in excess of \$24,000. It has made loans of roughly \$1,600 for items such as prom expenses, homecoming expenses, a mini bike, contact lenses, bike repairs, clothes, and gifts. In addition to making loans, the students are paid a quarterly dividend of 5½ percent per annum.

But, more importantly, the students at the Fort Knox High School are learning how to manage money by actually operating the credit union themselves. The students handle all transactions, including the granting of loans and, rather than making frivolous decisions, the student credit union officials have been far more stringent in their loan policies than older credit union officials might have been. They have shown a good business sense and are operating a sound credit union.

I am including in my remarks a report on the development, organization, and operation of the world's first student credit union, prepared by William A. Raker, who is the coordinator of the credit union. This report serves as a valuable working guide for other schools that might wish to enter this important field:

YOUTH JOINS THE CREDIT UNION MOVEMENT

"This is a new bag. It's never been tried in any other high school, and it's all yours," said Mr. Robert Schaffner when he told the students at Fort Knox High School that they

had been chosen to organize and operate the world's first student credit union.

Fort Knox boasts many distinctions, not the least of which are its synonymy with gold bullion; Kentucky's largest credit union, managed by Schaffner; and the forward-looking awareness, inventiveness, and enthusiasm of its high school students. It is natural, then, that Fort Knox High School should be selected to play a new and significant role in the exploration of a novel approach to consumer education.

The students at Fort Knox High School have developed their own special program for teaching economics: they do it by getting themselves involved. They are learning by personal experience, and the experience is providing them with the opportunity to save and borrow money in cooperation with one another.

The students themselves named the program. They call it the "Fort Knox First Student Credit Union." It serves the military dependents attending the army post high school, and the field of membership is limited to the high school's students.

It is the very first of its kind; and, at present, the only one of its kind in the world.

The Fort Knox First Student Credit Union is a joint effort of the United States Congress, the military, the Fort Knox Dependent School System, and the Fort Knox Federal Credit Union.

This project was begun in April 1969, at the urging of Congressman Wright Patman, who wanted "... to begin in the nation's school systems to remedy the lack of consumer education, particularly in the area of handling money...."

Congressman Patman chose Fort Knox to host the pilot program. One reason for this choice is the close and unique relationship that exists between the students of the high school and Fort Knox Federal Credit Union, an eight million dollar organization serving the civilian and military personnel at Fort Knox.

In response to Congressman Patman's suggestion that Fort Knox develop the project, Major General James W. Sutherland, Jr., then post Commander, replied "I wholeheartedly support this worthwhile project and am most pleased that the Fort Knox Credit Union has been selected to participate in the pilot program."

Robert Schaffner, General Manager of Fort Knox Federal Credit Union, and Herschel Roberts, Superintendent of Fort Knox Dependent Schools, drafted the outline for the proposed program.

The military command and the school officials at Fort Knox enthusiastically approved the idea, and Fort Knox Federal Credit Union agreed to support the undertaking financially and to act as its sponsor.

In March of 1969, Schaffner met with the student body and explained the proposal along with the history, organization, and operations of the credit union movement. He let the students know just what they were in for and what would be expected of them. For most of the students in grades 9-12, it was the first time they had heard any discussion on credit unions and they were bubbling with questions. Many of the youngsters lingered after school hours to chat personally with Schaffner about how they could get involved.

Schaffner helped the students make plans for their first organizational meeting and asked them to decide how they wanted to structure their organization.

Robert Burrow, the high school principal, was skeptical about the students' being willing to accept the challenge put before them. He warned Schaffner, "Don't be too disappointed if only ten students go for this thing."

Burrow was the one with the surprised look when nearly one-half of the student body of 650 expressed a sincere interest in joining

the program. The students were extremely enthusiastic about the fact that for them the project was "a new bag," untried and completely theirs, as Schaffner had pointed out to them at the beginning.

Herschel Roberts sent a letter from the Superintendent's Office to the students' parents explaining the proposal and encouraging them to have their children participate in the program.

As Roberts stated in his letter, the student credit union was to: . . . be formed within the high school to assist in teaching young people the value of a planned savings program and the ramifications of installment buying.

The credit union will receive savings deposits, pay a savings dividend and make low-cost small loans to be repaid in regular installments. Students will be encouraged to save for future needs. . . . emphasis will be placed on the "save now, buy later" concept versus the "buy now, pay later" concept.

The objective of this program will be to educate young people, not only with respect to procedure and cost, but also in the very important area of moral responsibility. Because young people should learn to transact business on their own, there will be no parental liability when a student borrows on a small signature basis. . . .

Parents and students alike were highly receptive to the proposed new educational concept. Everyone was eager to have the program get underway, to let the students have their own credit union and to see what they would do with it.

Publicity went out through the high school announcing the initial organizational meeting, and on April 14, 1969, the students convened and elected their first officials.

Management of the credit union involves a minimum of 20 students: board of directors, seven; credit committee, five; supervisory committee, three; and educational committee, five.

The board of directors oversees the general control and operation of all credit union activities. It is responsible for establishing all policies and for seeing that they are carried out.

The credit committee has the responsibility for acting on all loan applications submitted by members. However, there is also a loan officer appointed by that committee and given authority to approve loans up to \$10.

The supervisory committee periodically audits the records of the credit union, examines the affairs of the credit union, and keeps fully informed as to the credit union's financial condition.

All offices are filled on a voluntary basis. Since the credit union is strictly a non-profit organization, the elected officials receive no monetary compensation.

Following their election from the student body, the board of directors, the credit committee, and the supervisory committee met and elected their respective officers; and all three bodies joined to establish the following operation policies:

- (1) Once a member, always a member (membership may be maintained after transferring to another school or after graduation).
- (2) Minimum deposit for opening an account is \$1, minimum for subsequent deposits is 25 cents.
- (3) Interest on loans is one per cent a month on the unpaid balance.
- (4) Signature loan limit is \$30 with a maximum term of six months.
- (5) Secured loan limit is \$500 with a maximum term of 18 months.

The Fort Knox First Student Credit Union was organized and ready to open for business. Within two months, 151 students had joined and deposited over \$800 into their savings.

After 15 months of successful operation,

the student credit union has over 240 student member-owners, which represents more than 40% of its potential membership; and the students have in excess of \$24,000 in savings.

A number of the high school faculty have joined the student credit union on an associate member basis, which means that they are entitled to full member services but cannot vote or hold an office.

One of the teachers explained their membership as ". . . an excellent way for us teachers to express our faith in and respect for these young people. By joining them, we can encourage them and support them in one of their own projects. We thought the idea of a student credit union was great, and we wanted to be a part of it."

Some 20 loans have been approved by the credit committee, and the committee chairman says that only one application has been refused so far.

The total loaned out since the credit union was organized approaches \$1,600. However, there is only \$75 now outstanding; and there have been no delinquencies on loan repayments.

"These kids have accepted credit responsibilities much better than some of our adult borrowers at Fort Knox Federal Credit Union," commented Schaffner.

Loans have been for such things as prom expenses, Homecoming expenses, a Honda, a mini-bike, contact lenses, bike repairs, clothes and gifts.

Students' transactions, including deposits, withdrawals, and loans are conducted at school on Tuesday and Thursday mornings before classes begin.

The student treasurer operates from his own office in the school throughout the academic year; and during the summer months, he is employed full-time by Fort Knox Credit Union, where students come to transact their business directly with him.

The student treasurer, elected by the board of directors from his own number, is the only student who handles any money; and he is covered under the sponsoring credit union's Blanket Bond. All of the funds the treasurer handles are deposited with the sponsoring credit union.

From the start, it was understood by all concerned that the credit union would be owned and operated by the students. Of course, the credit union functions in accordance with federal credit union regulations and bylaws. It is not chartered, but it still receives periodic examinations by state and federal examiners.

While the students themselves have full control of their affairs, they do receive guidance and assistance, when so requested, from Schaffner and myself.

My connection with the high school is as a mathematics teacher and my relationship with the student credit union is strictly as an advisor and liaison between the school administration, the student organization, and Fort Knox Federal Credit Union.

I also have general supervision of the preparation of all promotional materials for the student credit union. During the summer, I work with the students as an employee of Fort Knox Federal Credit Union.

Student officers maintain all of their own records as required by law, but the accounting is done by the facilities and personnel of Fort Knox Federal Credit Union.

In the legal sense, the student credit union is operated as a branch of Fort Knox Federal Credit Union, and the students' accounts are integrated into the accounts of that credit union's regular members.

The students are paid dividends in accordance with the dividends paid by the sponsoring credit union, currently 5¼% per annum, paid quarterly; and the reserve requirements and Blanket Bond carried by the sponsor protect any losses the student credit union might sustain.

The sponsor provides facilities for monthly board meetings, permits student officials to observe its operations, prints literature and business forms for the student credit union, furnishes funds for contest awards and door prizes for annual membership meetings, and provides coverages on credit life and life savings insurances.

Expenses of setting up and operating the program thus far have come to about \$600, all of which has come from the sponsor.

"That is a small amount to pay for the tremendous educational value derived," contends Schaffner, "and we are just happy to have the opportunity to help these young people. We are developing the future leaders for our schools and our credit unions."

There have been two annual meetings so far. At these meetings, the members come together to elect officers (all terms of office are for two years, unless an officer moves away), review financial reports, listen to guest speakers, draw tickets for door prizes, and enjoy refreshments.

The program's over-all objective is primarily educational. It is to teach the value of the habit of saving regularly and to illustrate firsthand what is involved in credit consumption, i.e., borrowing for provident purposes, repaying promptly, establishing credit ratings, and understanding financial transactions.

As Schaffner expressed it, "All of the students involved will reap the benefits of a deeper insight into a portion of the economic and monetary system of our nation."

Speaking on behalf of the school board, Superintendent Roberts remarked, "From the school's standpoint, this program is a good way for high school girls and boys to learn the economics of credit, savings, and everyday economic transactions that they'll be confronted with the rest of their lives. It's impossible to teach this as a course in high school and reach as many students as this can. The potential is tremendous."

The Fort Knox students have been commended several times on the floor of Congress for their efforts with the credit union.

They have had extensive articles published about them in *The Congressional Record* and *The Credit Union Magazine*, all very laudatory.

CUNA International, the Office of Economic Opportunity, and the Education Department of Changing Times have all prepared and are distributing, on a nationwide scale, packets of information about the Fort Knox First Student Credit Union. These organizations are working to help start credit unions in other high schools around the country.

Representative Patman recently spoke to his colleagues in Congress and expressed a desire to see "... credit unions in every school in the United States."

The Fort Knox students are doing their part to achieve just that, and they are proud to have been the start of it all.

INDEPENDENT BANKER OFFICIAL CALLS FOR CONTROL OF BROKERED FUNDS

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

Mr. PATMAN. Mr. Speaker, Mr. Fred Brooks, writing in the August issue of the *Independent Banker*, makes a strong case against banks accepting brokered deposits.

Mr. Brooks, who is the president of Merchants State Bank of Dallas, points out:

Money brokers act as bankers without being subject to banking regulations. They are successful partly because the general public is not aware of the problems and dangers of brokered transactions.

Mr. Brooks also points out:

The use of brokered funds by a bank would seem to me to be more than an unsound banking practice. Using depositors' money to shore up a marginal loan borders on being a criminal action.

On July 28, I introduced H.R. 18676, the Safe Banking Act of 1970. In part, this legislation would correct the abuses of brokered funds by simply outlawing the acceptance by a commercial bank or savings and loan association of any brokered funds. In introducing the legislation, I rejected the argument proposed by some that brokered funds, by themselves, are not bad. I pointed out in my statement that brokered funds, by themselves, do create problem since the additional funds paid to the depositor by the broker must be obtained through some questionable scheme.

Mr. Brooks, a banker for 19 years, backs up my belief in his article. He points out:

The money brokers argue that they are not to blame for the problem and that they are just performing a service. However, the fact remains that without money brokers there would be no brokered funds. The problem simply did not exist before money brokers came on the scene.

I am including a copy of Mr. Brooks article because it not only discusses the problems with brokered deposits, but calls for commercial banks to take a strong stand against such banking transactions:

BROKERED FUNDS: NO PLACE IN A WELL-RUN BANK

(By Fred T. Brooks)

When deposits in unprecedented amounts began pouring into the little State Bank of Prairie City, Iowa, not long ago, it appeared to be a happy situation for everyone concerned. Thanks to deposits generated by a money broker, the \$2.5 million bank was able to swing a set of loans totaling \$850,000. The broker received a nice fee. Investors earned interest on the deposits. The bank set up an interest schedule on the loans. And the borrowers, a group of about 30 companies and individuals who had secured the deposits through the broker, were able to get their loans.

In short, it seemed to be a tidy, imaginative transaction, except for one thing: Iowa banking officials had to close the bank.

Collin Fritz, the state banking superintendent, said loans which were classified as unsound exceeded the little bank's capital by many times. Without the brokered funds, the bank could not have considered making one set of loans for \$850,000.

The closing of the Prairie City bank was one of eight bank failures in 18 months linked to loans and deposits generated by money brokers. This record provides ample evidence that brokered funds have no place in a well-run bank.

Also, since bank problems or failures tarnish the public image of banking generally, bankers should take action to eliminate unsound practices in the industry as they arise rather than to wait for Congress or the supervisory authorities to do the job.

WAR Y OF QUICK MONEY

As president of a small bank, I know how tempting it might be to have my accounts

quickly and substantially beefed up through deposits obtained by a broker who would control where the money is lent. But I also have a basic wariness about quick, hot money from any source.

As banks in Michigan, Utah, Kentucky, Georgia, Texas and Iowa have recently discovered, such transactions do not always go according to plan. The failures of these eight banks resulted from similar causes related to brokered certificates of deposit or irrevocable letters of credit.

In each of the cases large borrowers defaulted on loans or were on the verge of doing so. The loans were of a size that would be considered imprudent for a small bank to make. Most of the borrowers in each of the banks were from outside the bank's normal business area. And in each case money brokers had generated deposits that backed some of the loans.

A typical situation might involve a prospective borrower who wants to borrow a substantial sum—say \$150,000—but the bank either does not have that much to loan or has it committed elsewhere. The borrower is told that the bank will make the loan if he can generate deposits of \$150,000. Since the prospective borrower can't find that kind of money elsewhere, he talks to a money broker who finds the depositors and the bank makes the loan.

The broker's fee for arranging the deal may be 3 to 5 per cent of the loan. The broker, in turn, may pay the depositors 2 per cent of his fee to encourage them, which is in addition to what they will get from the bank on their certificates of deposit, say 5½ per cent.

SERIOUS TROUBLE POSSIBLE

Not all transactions of this type end in disaster, of course. *The Wall Street Journal* estimates that about \$750 million is channeled through brokers in the course of a year. The largest money broker is Seaboard Corporation of Los Angeles, which says it will place deposits of \$130 million to \$150 million this year, compared to \$50 million in 1968.

But if the broker is unethical or the third party defaults on the loan, the bank may find itself in serious trouble. This is particularly true for smaller banks that are left with insufficient capital to carry on if the borrower defaults. In some cases the borrower has been an incompetent business manager, or has poured the money into some ill-conceived venture that failed. Some borrowers have also been involved in a conspiracy to defraud the bank.

I have discussed the problem with a number of state banking commissioners and top officials of the FDIC, the Comptroller of the Currency and the Federal Reserve. They have advised their member banks "to be alert to schemes which would expose depositors' and shareholders' fund to the risks involved in loans based on brokered 'deposits.'"

BEWARE OF OUT-OF-TERRITORY LOANS

The federal regulatory agencies have all advised banks to be especially wary of related out-of-territory loans which may appear attractive because of the amount of brokered money that will be placed with the bank if the loan is made. The policy statement of the agencies continues:

"The advertisement of excessive yields on deposits solicited for federally supervised banks (whether the premium is provided by the bank or by others), moreover, is prohibited by substantially identical regulations issued by the Federal Deposit Insurance Corporation and the Board of Governors of the Federal Reserve System. To the extent that a bank takes any part in these transactions it is considered to be evading the purposes of the interest rate regulations. Where the bank pays a fee to a broker and knows or has

reason to know that the fee is being shared with the depositor, the bank is also in violation of the interest rate regulations to the extent the yield to the depositor exceeds the maximum permissible rate."

PLACED IN CHECKING ACCOUNT

The FDIC is a litigant in one of the most tangled and complex arrangements to date involving a closed bank having brokered funds.

It all started when three prospective borrowers—a schoolteacher from Detroit, an auto dealer from New Jersey, and the head of a leasing firm in Birmingham, Alabama—worked out a deal with a money broker to get \$3 million from Peoples State Savings Bank of Auburn, Michigan. The Detroit borrower, who wanted to develop a lake resort near Auburn, was to get \$1.5 million before fees. The other two were to receive \$750,000 each.

The broker agreed to get deposits of \$3 million to match the loans.

Two other brokers were brought into the deal to help round up the deposits.

The little bank received deposits of \$2.7 million from 545 investors around the country during an eight-week period last spring. However, the money was not put into certificates of deposit in the names of individual depositors, but instead was placed into a checking account of the money broker. He had withdrawn about \$2.3 million by the time the bank was closed by state officials. Those who had placed their deposit money with the brokers were given irrevocable letters of credit instead of CDs. The credit letters were signed by the bank's president and its cashier for the amounts they put up.

The broker who had withdrawn the money from the Auburn bank said he had disbursed a total of \$1,537,800 among the three borrowers and had given \$116,500 as fees to "others who helped arrange the loan." The remaining \$675,000 he kept for his own fee or put into an escrow account to pay the interest to depositors. He said his role as disbursing agent for the funds was taken to protect his fees, adding that this was part of the loan agreement.

However, it appears that no loan arrangements were spelled out and no collateral put up.

The FDIC is suing two of the borrowers and the broker for the money they received. Several stockholders and directors of the bank have brought suit against the president and the cashier of the bank, contending that the letters of credit were issued without proper authority and thus are not obligations of the bank. The FDIC may not have to pay off the depositors secured by the brokers if the letters of credit do not represent valid deposit obligations of the bank.

ADDITIONAL BANKS IN TROUBLE

In addition to the most recent series of bank failures linked to brokered funds, the practice has been involved to some degree in at least 15 of about 30 bank closings that have occurred since 1963. One government regulator says many other banks may be in trouble. He said 10 banks having considerable amounts of brokered deposits are being closely watched.

A Texas bank failed when its purchases of federal funds, brokered loans and commercial paper sold, totaled more than its deposits.

What is the answer to the problem?

One suggestion is to withhold deposit insurance from banks that do not receive deposits in the ordinary course of their business. This would exempt brokered funds from FDIC insurance, since they are not obtained from the ordinary course of a bank's business.

The exemption no doubt also would apply to national advertising schemes, such as the offer by a Louisiana bank to pay all the interest in cash on the day a depositor invests in a five-year certificate. The bank,

which has a total capital of only \$200,000, made the offer in ads which ran in *The Wall Street Journal* and in newspapers throughout the Southwest.

All the depositor had to do was clip a coupon, enter the amount of his deposit, and indicate whether he wanted the interest money in cash or used to purchase a car, boat or television set.

The Comptroller's office says the offer does not violate any regulations. However, the ads fail to mention that the customer incurs a tax liability in receiving the interest in a lump sum.

Comptroller of the Currency William B. Camp favors making it a criminal violation for a banker to accept brokered funds where tie-in loans must be made as a condition for the deposit of such funds.

The Iowa banking superintendent, Collin Fritz, has asked all banks in the state to notify him if they are approached to accept brokered deposits.

In the absence of legislation, however, these agencies are limited in the amount of supervision they can give to brokered money deals.

UNFAIR COMPETITION

This lack of regulation and supervision of money brokers also implies an unfair competitive advantage over banks. Money brokers act as bankers without being subject to banking regulations. They are successful partly because the general public is not aware of the problems and dangers of brokered transactions.

The conscientious banker who is dedicated to sound banking principles is thus at a disadvantage in competing for deposits and loans.

But the use of brokered funds by a bank would seem to me to be more than an unsound banking practice. Using depositors' money to shore up a marginal loan borders on being a criminal action.

The money brokers argue that they are not to blame for the problem, and that they are just performing a service. However, the fact remains that without money brokers there would be no brokered funds. The problem simply did not exist before money brokers came on the scene.

The independent banks of our nation have an outstanding record for customer and community service. They are run by dedicated, honest individuals who value their reputations as careful custodians of the public's money.

If we are to retain this reputation, it is up to us to do what we can to correct the problems in our industry ourselves. We can wait for Congress or the supervisory agencies to do it for us, but in the meantime, great damage may be done.

We can start by recognizing that brokered funds and irrevocable letters of credit, as mentioned above, have no place in our banks.

MILLIONS SEEKING WORK

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

Mr. BOGGS. Mr. Speaker, the thought of 4½ million Americans seeking jobs that are not to be found is disheartening, but it is even more disheartening to read the forecasts of such authorities as Louis Bean that this number will continue to increase if Republican economic policies persist.

Unemployment reached a rate of 5 percent again in July—after a temporary drop to 4.7 percent in June—and is now at the highest rate in 6 years. There is no evidence of a downtrend in sight. In

fact, it is quite probable that this rate will go up to 6 percent or higher before the end of the year—and when a trend like this is established, it may take a year or more to reverse it.

When we look at the current figures and consider the plight of unemployed Americans in a land of affluence, we cannot help feeling we have seen it all before.

Back in the 1950's, when the Republicans took office, unemployment was low. But it began to rise immediately, as Republican policies plunged the Nation into three successive recessions—the last and most severe producing an unemployment rate of 7 percent. All that time, there was a great deal of talk about prosperity. But prosperity is a meaningless word to men and women who are out of work.

Now again we have the same pattern. A Republican administration came to office when unemployment was at the low rate of 3.3 percent—and the jobless increase began immediately.

But today there is one important difference: in the midst of the current recession, we also have inflation—with high cost of living, rising interest rates. No wonder working Americans look back on the Democratic administration as the days of full employment.

CONSERVATION GROUPS TALK MERGER

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

Mr. BOGGS. Mr. Speaker, within the past 2 weeks, two of the Nation's oldest water development and conservation groups—the National Rivers and Harbors Congress and Water Resources Associated—took initial steps to merge.

The merger of these two organizations would bring together, in a single organization, two of the Nation's most effective groups working for water conservation and water resource development.

This is a significant event for anyone concerned about our Nation's water resources, and I am therefore inserting the announcement in the RECORD and calling it to the attention of my colleagues.

Two articles about the merger follow:

[From the New Orleans States-Item,
July 29, 1970]

CONSERVATION GROUPS TALK MERGER

WASHINGTON, D.C.—Officials of two of the nation's oldest water development and conservation groups—one of them founded in New Orleans in 1919—took initial merger steps at a brief ceremony here yesterday.

Dale Miller, president of the National Rivers and Harbors Congress, said the move, if ratified by the members, "will give us a strong and unified voice in advocating better water programs."

He joined F. A. Mechling, president of Water Resources Associated, in signing a "memorandum of intent to merge," which will be distributed to the members and put on the agenda of each organization's convention next winter.

Mechling, who is also executive vice-president of A. L. Mechling Barge Line Inc., of Joliet, Ill., said the merger will give the new organization about 3,400 members, practically all of them representatives of local organizations active in improving water trans-

portation, flood prevention, soil conservation and related benefits.

Water Resources Associated originated as the Mississippi Valley Association in New Orleans in 1919 primarily to bolster flood control on the Lower Mississippi and to promote international trade through the New Orleans port. The interests of the organization widened and the headquarters was moved first to St. Louis and two years ago to Washington, where the new name was adopted earlier this year to include wider geographic areas and more divergent interest groups.

The National Rivers and Harbors Congress originated 18 years before its sister organization. Its chief activity is an annual meeting at which a list of recommended public works projects is drawn up for presentation to Congress.

The WRA will hold its next annual meeting in Chicago Jan. 31, to discuss the merger plan and the NRHC will meet here about six weeks later.

The merger proposal calls for a board of governors representing the 17 major U.S. river basin districts. There will be a 15-man executive committee, a slate of national vice-presidents composed of members of Congress, an advisory board, a state vice-president for each of the 50 states, a chairman and a president.

[From the Port of New Orleans Weekly Bulletin, Aug. 1, 1970]

WATER RESOURCES, RIVERS, HARBORS CONGRESS MERGE

Ranking officers of the nation's two largest, oldest and most active conservation and resource development organizations, National Rivers and Harbors Congress and Water Resources Associated (formerly the Mississippi Valley Association), have signed a "Memorandum of Intent to Merge."

Directors of the two groups had previously expressed overwhelming approval of the consolidation.

The uniting of W.R.A. and N.R. & H.C. is expected to bring a more unified and effective approach at the national level to promote sound, vigorous, and comprehensive water resource development in order to continue and expedite programs that are socially and economically beneficial to the citizens of the United States—water quality control, navigation, reclamation, soil conservation, environmental enhancement, recreation, irrigation, flood control—and others.

Signing for Water Resources Associated was F. A. Mechling, their president, who is also executive vice-president and secretary of A. L. Mechling Barge Line, Inc., Joliet, Ill. For National Rivers and Harbors Congress was Dale Miller, president and chairman of the board. Mr. Miller is also president of the Gulf Intracoastal Canal Association.

Negotiations will now proceed with a view toward ratification by the full membership of both organizations. The proposal will be made at the annual meeting of W.R.A., Jan. 31-Feb. 1, 1971, in Chicago, and at the convention of National Rivers and Harbors Congress in Washington, D.C., about six weeks later.

Water Resources Associated was founded in New Orleans in 1919. Its original purpose was to bolster flood protection on the lower Mississippi river and to promote international trade through the Port of New Orleans. The association grew in membership and interests to become known as "America's Voice in Water Resources." In 1968 the headquarters office was moved from St. Louis, Mo., to Washington, D.C. At the annual meeting earlier this year the new name was adopted.

Organized in 1901, National Rivers and Harbors Congress has brought together public-minded citizens devoted to conservation, development and control of the na-

tion's rich water supply. Its organization includes a broad-based membership at the local, state and federal levels. The work of National Rivers and Harbors Congress has been commended by Presidents since Theodore Roosevelt.

For further information contact C. Q. Wiggins, III, Director of Information, Water Resources Associated, 1130 Seventeenth Street, N.W., Washington, D.C., 20036, or phone 202/223-0652.

CRIME PROTECTION INSURANCE

(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, the robbery of a small grocery store, or the midnight burglary of a clothing store, are unfortunately crimes of such minor impact and jading regularity today that they attract little public notice. Yet, this type of crime has tremendous impact on the lives of the victimized businessman and his family. How many families today have the kind of financial resources that can easily absorb a stream of small, but financially crippling, losses due to crime? All too often it is the small businessman, who has no influence at city hall and no corporate lobbyist working on his behalf, who is quietly bearing a major share of the financial toll of crime.

The traditional American reliance on the insurance industry—a reliance that has helped this country grow—is not proving adequate to meet the challenge today. The problem of crimes against businesses has become so severe that where theft, burglary, and robbery insurance are available, their cost is prohibitive. And we cannot blame the insurance industry for these high rates: their actuarial tables tell a sad story. It is unrealistic for us to expect private insurance companies to subsidize, in effect, the businessman operating in a high-crime area. But, at the same time, we cannot sit back and let these small businesses die because they cannot get insurance, and they cannot operate successfully without it.

In May, a man who testified before our House Select Committee on Crime Washington hearings called to say goodbye. He and his family have moved to Canada, victims of the cost of crime in Washington. This man is no alarmist. He simply found it impossible to profitably operate his bait and tackle shop after his insurance was canceled because of repeated robberies. When he tried to get insurance with another company—he eventually contacted over 100 of them—he found that he could get insurance for \$10,000 to \$12,000 a year. It is unrealistic to expect a small businessman to bear such a great cost and still take home some profit to his family.

This man's store was in high-crime area in Northwest Washington, but the robberies there branded him for life. Even if he moved to any of our 50 States, his insurance would be the same \$10,000 or \$12,000 a year. The only way he could escape the past of which he was an unfortunate victim was to leave the country.

I do not think we can allow this to hap-

pen. I do not think we can afford to allow this to happen. If the Federal Government can help provide relief for storm-torn and riot-torn areas, can provide insurance on the mortgages of homeowners, surely we can help the Nation's small businessmen stay in business.

I think this Government must find the resources to establish a mechanism that would provide insurance—at reasonable rates—to merchants in high-crime areas. I think it is important that these merchants be able to continue to operate because they are an important part of the community as well as the livelihood for a family. I fear that if we do not act, high crime areas will soon be devoid of business—except for those which charge such high prices that they can absorb theft and burglary losses. And these stores, of course, will hardly be welcome in the community. The flight of responsible businessmen to the suburbs will hinder rather than help this country's fight against crime.

Mr. Speaker, for these reasons today I am introducing H.R. 18917 along with the following Congressmen: Mr. NIX, Mr. WALDIE, Mr. STEIGER of ARIZONA, Mr. LEGGETT, Mr. KOCH, Mr. HARRINGTON, Mr. TUNNEY, and Mr. KEE.

If enacted, H.R. 18917 will become the Business Crime Insurance Act of 1970. The bill would establish, as a division of the Federal Insurance Administration of the Department of Housing and Urban Development, a small business crime insurance division. The division would make available to small business concerns policies insuring against losses resulting from criminal acts to the extent that such insurance is not available from other sources at reasonable rates.

Our bill would set up a revolving fund with an initial capital investment of \$50 million, with the added proviso that the total amount of outstanding obligations may not at any time exceed \$100 million.

Mr. Speaker, as you know, there are already pending before this Congress a number of bills that would give similar authority to the Small Business Administration. However, we are convinced that this authority would more logically lie with HUD. For it is that department that is already administering insurance for riot-torn areas. Additionally, HUD has the model cities program, which includes among those cities some of the highest high-crime areas in this Nation.

For those reasons, it would appear that the Federal Insurance Administration should handle the program instead of the Small Business Administration.

It is our understanding that the House Banking and Currency Committee is currently studying this problem, and we would hope that they would take this bill into account for their consideration. We would hope for early enactment by this body of H.R. 18917.

The bill follows:

H.R. 18917

A bill to extend the powers of the Federal Insurance Administration to make crime protection insurance available to small business concerns

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this

Act may be cited as the "Business Crime Insurance Act of 1970".

SEC. 2. There is hereby established, as a division of the Federal Insurance Administration of the Department of Housing and Urban Development, a Small Business Crime Insurance Division (hereinafter referred to as the "Division"), which shall be under the direction of an Associate Administrator for Crime Insurance appointed by the Secretary.

SEC. 3. The Division shall make available to small business concerns insurance policies insuring against losses resulting from criminal acts to the extent that such insurance is not available to such concerns from other sources on reasonable terms. To the extent considered appropriate, the installation of burglar alarms or other improvements in architectural design and security to reduce the risk of loss may be made a condition to the provision of insurance under this Act to any business concern.

SEC. 4. (a) To obtain funds to provide the capital needed for carrying out this Act and to provide the reserves against losses necessary to operate the program under this Act on a sound basis, the Division may issue notes and obligations for purchase by the Secretary of the Treasury, but the amount of the notes and obligations issued to provide initial capital for the program under this Act may not exceed \$50,000,000, and the total amount of the notes and obligations issued and outstanding at any one time may not exceed \$100,000,000.

(b) Notes or other obligations issued under subsection (a) shall be in such forms and denominations, have such maturities, bear such interest, and be subject to such terms and conditions as may be prescribed by the Associate Administrator for Crime Insurance with the approval of the Secretary of the Treasury. The Secretary of the Treasury is authorized and directed to purchase any notes and other obligations issued under subsection (a) and for such purposes is authorized to use as a public debt transaction the proceeds from the sale of any securities issued under the Second Liberty Bond Act, as amended, and the purposes for which such securities may be issued under such Act are extended to include any purchases of such notes and other obligations. The Secretary of the Treasury may at any time sell any of the notes or other obligations acquired by him under this subsection. All redemptions, purchases, and sales by the Secretary of the Treasury of such notes or other obligations shall be treated as public debt transactions of the United States.

SEC. 5. (a) The proceeds of the notes and other obligations issued under section 4, along with all premium income, interest income, and other income derived under this Act shall be deposited in a revolving fund in the Treasury to be known as the Business Crime Insurance Fund. Any monies in the Fund not currently needed for the purposes of this Act may be invested in obligations of, or obligations guaranteed as to principal and interest by, the United States.

(b) All losses sustained under policies issued pursuant to section 2, and any non-administrative expenses arising under the program under this Act, shall be paid from the Business Crime Insurance Fund. No administrative expenses may be paid from the Fund.

SEC. 6. There are authorized to be appropriated such sums as may be necessary to carry out this Act.

BLOUNT HITS POSTAL REFORM

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

Mr. GROSS. Mr. Speaker, I was dismayed to read an article appearing in the Washington Post on Sunday, August 9, 1970, attributing statements to Postmaster General Winton Blount which in my opinion prejudice the future of the new Postal Service. I assume these statements are correct by reason of the fact I have not seen a retraction by Mr. Blount.

If there were any doubts in my mind regarding my vote opposing the enactment of the legislation, Mr. Blount has removed them.

According to the presentation by the Post Office Department before our committee, the main purpose of the bill, which is awaiting the President's signature, was to create a Postal Rate Commission, independent of the Congress. This was done in the bill. Now we find the Postmaster General criticizing what Congress has approved on the grounds, according to Blount's statement in the Washington Post:

Now the postal lobbies will be able to concentrate on just five Commissioners where they have been lobbying all 535 Members of Congress.

The inference is that the Congress has been responsive to mail users lobbying in the past and that in the future the President will appoint five Commissioners who also will be adversely influenced by the mail user lobbyists. This cynical approach by Mr. Blount at the beginning of the much heralded new Postal Service does not afford much encouragement to the American people. I cannot understand what Mr. Blount wants. The bill which was approved by the Congress contains over 90 percent of what he requested. This kind of "shooting from the hip" practically destroys the effectiveness of the Postal Rate Commission before it has been activated.

At another place in the article, Blount is quoted as saying that it is silly to limit the salary of the new Postmaster General to \$60,000 per year, as provided in the bill. It is my view that compared with the responsibilities of some Members of the Cabinet, who are paid \$60,000 annually, the responsibilities of the head of the Postal Service are insignificant. If this is the view that Mr. Blount takes regarding the salaries of future postal officials, it would not be surprising to learn that the new Postal Service will have its headquarters outside of Washington, D.C., in some plush resort area with golf courses, private airplanes for the Board of Governors, club houses for guests of postal officials, fishing and game reserves and all the other frills enjoyed by some private corporations.

Another statement which is attributed to Mr. Blount in the article is to the effect that the bill provides favoritism to the airlines which is not accorded the railroads and the motor carriers. This simply is not true. The chairman of the Interstate and Foreign Commerce Committee, Representative STAGGERS, has indicated that if Mr. Blount is dissatisfied with the provisions relating to air carriers, he should submit legislation to the proper committee which is the Interstate and Foreign Commerce Committee hav-

ing jurisdiction over national transportation policies.

Finally in the article, Mr. Blount is reported to have said that Members of Congress would correct these faults in the legislation once they recover from the whole "traumatic experience" of postal reform. It is my opinion that if Mr. Blount's statements in the Washington Post represent the kind of policies which will guide the Postal Service in the future, the whole Nation is in for some "traumatic experiences"—and on a permanent basis.

MORE LIGHT ON "L-I-G-H-G-H-T"

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

Mr. HALL. Mr. Speaker, it is gratifying to note that the efforts of the gentleman from Iowa, the Honorable WILLIAM J. SCHERLE, have not gone unnoticed. His recent exposure of the National Foundation of the Arts and Humanities Debacle in awarding a \$750 prize for a one-word poem, was used as the basis for a broadcast by Al Capp, the well-known creator of "Li'l Abner."

Mr. Capp's commentary was so much to the point that I feel that it should be shared with others. The script follows:

RA: LIGHT

Senator Kennedy rarely stops beefing about the \$37 million a year the Armed Services spend on its public information department . . . only Senator Kennedy calls it their publicity department. And that, of course, gives it a rather more frivolous air than a department deserves which spends most of that sum paying GIs to provide military information to the Nation, and its press . . . and to its Senators.

But I have never heard him utter a word about the \$180 million spent by a group of has-beens, third-rates and dilettantes . . . who couldn't pass physicals . . . grouped under the impressive organizational title of the National Foundation on the Arts and Humanities.

The National Foundation on the Arts and Humanities recently offered a \$750 prize for a one-word poem I can't recite the winning poem . . . I'll spell it and you recite it: L-I-G-H-G-H-T.

When Congressman William Scherle complained that he couldn't understand it, the Foundation haughtily replied that quote "Your middle American background renders you unqualified to understand it." unquote

So I'm submitting a one-word poem to the National Foundation. It is dedicated to them. It is spelled: P-H-P-H-P-H-O-N-E-Y-S.

That ought to be worth twice \$750. It's no easier to pronounce . . . but anyone can understand it. Anyone of us in middle America anyhow.

PRISONERS OF WAR—OUR MOST IMPORTANT ISSUE IN THE PARIS PEACE TALKS

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

Mr. RIVERS. Mr. Speaker, in his first meeting at the Paris peace talks, Ambassador Bruce made a statement in which he listed three issues to which serious attention should be turned. These are:

The withdrawal of troops, a political settlement, and the issues involving the prisoners of war. I commend his statement to your reading:

TEXT OF OPENING STATEMENT DELIVERED BY AMBASSADOR BRUCE AT 78TH PLENARY SESSION OF PARIS MEETINGS, AUGUST 6, 1970

Ladies and gentlemen, as President Nixon has stated, the United States is renewing its efforts to reach a negotiated settlement of the tragic conflict in Viet-Nam, a settlement that will bring a just and lasting peace. It is my earnest hope that discussions between our two sides will now enter a more productive phase.

The United States desires an early negotiated settlement of the war. We do not seek a military solution. We seek no military bases in South Viet-Nam. We insist on no military ties.

Both sides have spoken of the one essential condition for such a settlement: that the South Vietnamese people have the opportunity to determine their own future without outside interference. For the people of South Viet-Nam to be able to determine their future without outside interference they should be free of the use of force and the threat of force from whatever quarter.

In the course of the past eighteen months we have made a number of proposals for a settlement based on these principles. You have also made certain proposals. What is required now is an effort to narrow the differences between the two sides and to find a basis of agreement.

As a result of the discussion thus far, we know what the central issues are to which we must now turn our attention with renewed vigor. These issues are the withdrawal of troops, a political settlement and prisoners of war.

Experience has shown that it is extremely difficult to find negotiated solutions to these immensely complex issues. But I believe experience will also show that solutions can be found if there is a genuine will on both sides to face realities with sincerity and quiet resolve. The world certainly expects those qualities of us as we pursue these talks.

In so doing, I hope that we can avoid propaganda and harsh language and settle down to businesslike discussion of issues. It is also time, I suggest, to set aside the language of preconditions and of demands for one-sided action.

I am here, ladies and gentlemen, to discuss all of the proposals we have made both in public and in private as well as to discuss the proposals you have made. Our purpose is to reach the earliest possible negotiated settlement which gives due consideration to the legitimate concerns of both sides. We set forth no preconditions to negotiation. Both sides need to examine each other's position realistically. We both need to take another look.

If we set about our task at these meetings in this spirit, I believe we could find the way to a genuine negotiation of a settlement of the Viet-Nam conflict. I ask for your cooperation in this task; I offer you mine.

BY A VOTE OF 350 TO 15, CONGRESS DOWNGRADES THE AMERICAN WOMAN

(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, one must be saddened by the prospects for womanhood as a result of the vote yesterday on the so-called equal rights amendment bill. Passage of this election year gim-

mick has in my opinion sounded the official death knell of chivalry and effectively downgraded the American woman.

Passage of the amendment bill has shaken more traditions, more of the folkways and mores of society than has any other single piece of legislation in the past 100 years. While I am not averse to change, I am fearful of kicking over the traces of society embodied in the centuries-old premise that it is the male's primary duty and responsibility in life to provide. The logical extension of the bill passed yesterday is to end that noble tradition.

The distinguished chairman of the House Judiciary Committee put the whole matter succinctly when he called this a "blunderbuss bill." The noble objective was to end discrimination against women; the result will be just the opposite. The rights now enjoyed by women in the real world and in the written and unwritten laws of the land will, must, be called into question. The leader of the forces which effected passage of the bill said that where physical differences have a real effect, the law will continue to recognize them. Why? Is the gentle lady from Michigan telling us that she expects equality under the law to mean something other than equality?

The list of societal changes which would result from this proposed constitutional amendment is legion—a few examples will illustrate the point:

Criminal laws in every State in the Nation that differ in the ages of responsibility by sex would be stricken as being unconstitutional.

Marriage laws in many States that differ in the age of consent, and which give any advantage to women for contractual purposes would be unconstitutional.

Criminal laws such as dealing with rape, seduction, and certain types of assault that now apply only to men would have to be challenged as being "discriminatory."

Labor laws that give special privileges to women, such as for sanitary conditions and hours of employment would be stricken down.

In property law, if a woman is granted the sole right to dispose of her separate property without her husband's consent, he too must be allowed to deed away his property, without the signature of his wife.

The dower rights of a widow in her husband's estate, and her right to elect to take against his will which attempts her disinheritance, must be abolished unless identical rights in his wife's estate are given to the husband.

Alimony would have to be abolished—or made a two-way street. Any legal preference given to the women in respect to child custody, upon divorce, would have to be abolished as being "discriminatory."

Perhaps the most dramatic societal change that would have to follow from such a constitutional amendment would be in the field of retirement benefits and privileges. Federal, State, and private retirement programs are based on differences between men and women, and every one that I know anything about

gives a decided advantage to women. The most glaring example of "sex discrimination" on the books now is that which allows a woman to draw social security benefits at age 62 whereas her husband is not eligible until age 65.

Last but not least, should we have to conscript citizens for the armed services in the future, women, along with men, must assuredly be subject to military service and all that implies.

Mr. Speaker, Congress has been meddling too much in the everyday lives of the citizens of the United States, but the bill passed yesterday is the most pernicious piece of meddling I have had the dubious honor of voting against in my 21 years in the House.

The Founding Fathers, in their foresight and wisdom, required a three-fourths majority approval by the State legislatures before the Constitution could be amended. It is my hope that in the ratification process, with time for hearings, for reflection, for deliberation, for calm and reasoned debate, the States will not fall into the trap laid before a vote-conscious Congress.

I know already that many Members of Congress are having "second thoughts" about the bill which passed so overwhelmingly. In fact, I have been congratulated time and time again today by the "yea sayers" for standing firm and voting "right." I am convinced that when the women of America realize what the Congress has proposed to do with their status and position in society they will object in most strenuous terms.

Based on the memory of my mother and on the love and respect of my wife and daughter, I could not in good conscience vote for any measure which diminishes their status as American women.

THE POSTAL REFORM ACT

(Mr. DANIELS of New Jersey asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. DANIELS of New Jersey. Mr. Speaker, the enactment into law of the Postal Reform Act is of great historical significance. It is the first such reform in the history of the Post Office Department.

Mr. Speaker, 82 years ago, in 1888, another significant law was enacted, the so-called 8-hour law limiting the number of hours for postal workers, as well as providing overtime for hours in excess of a normal workday.

I was recently presented with a volume commemorating a July 4, 1888, parade in honor of the passage of the 8-hour law. While most of the book is taken up with photographs of postal workers, there is a foreword describing the conditions which then existed and a history of the law's passage.

I believe that this foreword has great significance for the Members of Congress interested in improving working conditions for postal, as well as all workers, and I am inserting the history into the RECORD, as follows:

SOUVENIR OF THE CELEBRATION OF THE PASSAGE OF THE 8-HOUR LAW, AND RECEPTION GIVEN BY THE NEW YORK LETTER CARRIERS' ASSOCIATION TO THE LETTER CARRIERS OF THE UNITED STATES, NEW YORK, JULY 4, 1888
Committee of Arrangements: Geo. H. Newsom, Chairman; Edward F. Mone, Secretary; James McVey; Frank Merrett; Solomon Josephs.

To the Letter Carriers of the United States: The object of this book is to commemorate the first parade of the letter carriers of the United States, and the reception tendered to them by the Letter Carriers' Association connected with the New York post office. The cause or causes, as related here, may be of interest as the years roll by and the prominent figures of the men engaged in it and the other circumstances which led up to the demonstration, may be forgotten, even by their friends. But the parade and reception, their cause and meaning, we would have live, so that the men who will occupy the places of the men of to-day, we will see to it that no backward step is taken and no halt ordered in the progressive march of a higher civilization.

The postal service of the United States is fast becoming the most important branch of the public service. It already claims more attention than that of the war department or the navy. Who will be the next Postmaster General will soon be a more important question to the people than who will be President. The business of the country is being done largely to-day, and in ever increasing volume, by the post office. What with its money order department, its postal notes and registered letter system, its special letters, its increasing army of letter carriers, who are every year invading new cities and towns—and it would seem that under the present favor with which the free delivery system is fostered by that able gentleman, Col. Bates, superintendent of that division—the time cannot be far distant, when the letter carrier will be seen diligently seeking for the citizens of this Republic at its farthest corner.

Then, we think, we see in the near future, the postal saving bank, and then just a little behind that, the postal telegraph. And when that comes, the post office department will be more than ever before, the chief adjunct to our civilization. But it is with the last man in the service which we know the best, having been in it for a long term of years, that we have to do at this time; for he is last only in the sense that he deals directly with the people, and represents the post office department in the public eye.

The business man opens his mail, gets his orders, drafts, checks and bills from his carrier. He knows no other post office official than the carrier; and indeed, cares to know no other. So with all other citizens. The man in gray, who walks into his office, store, or stands on his stoop ringing his bell, bringing letters of business, of pleasure, or of sadness, is to him the most important man in the post office. This being true, it is pleasant to know that the army of true citizen officials is increasing, and will soon spread all over the land, because of their usefulness as disseminators of knowledge and as a help to civilization.

The free delivery system, when first established, was a sort of experiment tried in a few cities, and was built on a correspondingly small foundation. While the system has expanded, the basis on which it was built remains about the same. The letter carrier was considered the fifth wheel of the coach, while in fact, he has become in many localities, the coach itself. When the system was established, the salary of the carrier was left to the caprice of the Postmaster General, as were the vacations; so when one Postmaster General wanted cheap labor, he employed men at \$400 per year, and reduced the maximum of

salary to \$831 per year. It is a matter of conjecture how much salaries would have been forced down, had it not been for the earnest efforts of the carriers of that day, led by such men as Messrs. Hamilton, Dytch and Dorsey of Philadelphia, Fred Rose of Brooklyn, P. J. Goodwin and James Hennessey of New York, and aided by the Hon. S. S. Cox, on the floor of the House, and Hon. James G. Blaine of Maine, in the Senate.

Then the matter of salary was fixed by law a little lower than it was at first, but it was satisfactory because fixed. That was the first victory for the carriers of the United States. A few years later, the matter of vacations was brought up. It was suddenly discovered that the annual vacations enjoyed for ten days, were not warranted by law. The carriers were again called on to organize, for the purpose of having a vacation fixed by law. The same men were called to the front as before; and the result was the same. Congress gave a quick assent to the proposition. So the carriers now enjoy a vacation of fifteen days according to law; while before they received but ten days as a gift and not as a right. This was the second victory for the carriers. But this victory cost us something; for while in the midst of this, the men of New York, who were delegated to act for the carriers, were warned not to do so, as the department would take care of the interests of the carriers of this city, and it did as will be seen.

Under Postmaster Patrick H. Jones of New York, the hours of duty of letter carriers in New York, were as follows: 7 A.M. to 5:30 P.M. They remained so for the first two years of the administration of Thos. L. James, who succeeded Post Master Jones, when Postmaster General Jewell tried a Sunday delivery, which public sentiment denounced so roundly, that it was abandoned after one trial. Then an extra trip was made every Saturday, about 7:30 P.M. Although the men thought it an outrage, in a short time the late trip was made permanent and was made every day. That made the time from 7 A.M. to 8 P.M., and in many cases, 9 P.M. This with decrease of pay, the loss of vacations and the stretching of the hours of duty at both ends, from nine and one-half hours to thirteen or fourteen hours per day, proved to us conclusively, that the department was indeed looking after our interest so closely that if we did not look out ourselves we would soon have no interest to look after.

All of these "humane reforms" were at first introduced in New York. We don't know by whom, but we do know who did the work. After a while these "reforms" struck other cities, and then citizens began to be annoyed by having to leave their evening company, to get from their tired carrier, some newspapers for which they had not subscribed, or circulars in which they had no interest. Then the carriers of other cities, heard the good people of both sexes say uncomplimentary things about the post office for the first time. At first when the carriers came after dark, the people would think they were late; but when they found the real cause, they would say some strong things which don't look well in print. When the "reform" wave struck Philadelphia, the carriers of that city went to work to find a way out. Again were the old war horses trotted out, just as we brought out the old Veterans at the beginning of the war for the Union. Hamilton, Dorsey & Dytch were called into action. The first thing which they did, was to find out how long the post office could stretch out our time and reach the legal limit. They found that twenty-four hours a day, and 365 days per year, was the legal limit.

In 1883, Howard Dytch, of Philadelphia, in company with a lawyer of note in that city, went to Washington and interviewed Postmaster General Hatton. They advocated not a new law, but the application of the old law of 1868, which distinctly declares that eight

hours shall constitute a day's work for laborers and mechanics. The lawyer believed, and so do many of us, that we were covered by that law. But the Postmaster General thought otherwise, and said further legislation was necessary to make the old law operative. A second interview in 1884, led to the same result, a failure to secure a hearing. In December of that year, the Hon. S. S. Cox, of New York City, introduced a resolution, asking the opinion of Attorney General Brewster, of Philadelphia, in regard to the old law being applied to the letter carriers of the United States. The latter replied that he could answer such questions only to the President or to the heads of the departments.

The Hon. H. H. Bingham, of Philadelphia, a strong and true friend of the carriers, next went to Postmaster General Hatton, who said that if the House of Representatives would pass such a resolution to be referred to him, he would refer it to the Attorney General. The Hon. Wm. H. McAdoo, of New Jersey, then introduced a resolution, calling on the Postmaster General, to give what information he had at his command in relation to the matter. This was passed in February, 1885, and was referred to Attorney General Brewster; but before an answer could be rendered, the term of office of Mr. Brewster had expired, so all went for nothing.

In December, 1885, Mr. McAdoo again took up the battle, by introducing another resolution of the same import, and it was referred to Postmaster General Vilas, who returned the reply that further legislation was necessary. So we had nothing to do but seek for new legislation, still believing that we were covered by the old. In 1886, the first bill was introduced by the Hon. Warner Miller, of New York, and passed the Senate without a division or trouble; but failed to get a consideration during the session of 1886 and 1887 in the House of Representatives. The Hon. J. J. O'Neill, of Missouri, the chairman of the committee on Labor and Education, to which the bill has been referred, tried hard to get time to consider this bill with other bills in the hands of his Committee, but could not. One evening was given which was promptly talked away by a member who was opposed to the bill. John J. O'Neill was very much annoyed by this failure, and came to New York to explain the true condition of affairs, to the carriers who were now becoming used to disappointments, but they never faltered.

The carriers of New York had in the meanwhile made a permanent organization, and they fell in line with the other labor organizations at that time, under the leadership of Peter J. Eckes and others. Their organization while in its infancy, made all the mistakes which infant institutions are apt to make, and because of these and a prejudice which existed against organizations of any kind of a purely protective nature, and also because of gross misrepresentations made by those who hoped to profit by them, it met much adverse criticism. But the organization grew and prospered. It was wise enough to use the best talent at its disposal. Although the organization had more than three-quarters of the entire carrier force in its membership, there was an entire absence of the jealous feelings that are too frequent in associations of all kinds.

When the Congress of 1887-88 assembled, a new bill was introduced embracing all the features of the old, with a new one added to give the flexibility which it was claimed was lacking in the first: viz. That if a carrier was called upon to do extra duty, he would be expected to do so, and the department, on its part, was to render extra compensation accordingly. This bill was introduced by Congressman McAdoo, of New Jersey. It was sent to New York for the approval of the New York Association, and referred by them to the Legislative Committee, which had been formed some weeks previous. The following

members were on the committee: Geo. H. Newsom, Ed. F. Mone, Jas. McVey, Frank Merrett and Solomon Josephs. They were to look after the interests of the bill in New York, while Howard Dytech, of Philadelphia, was delegate on the field at Washington, ably assisted by Frank Braceland of Philadelphia, Fred. Rose of Brooklyn, Frank Dorsey of Philadelphia, John W. Worth, Harry E. Owen of Baltimore, Md., Martin E. Foley of Pittsburgh, Pa., John H. Willenborg of Cincinnati, O., Chas. W. Adams of Louisville, Ky., Ira Adell of Milwaukee, Wis., Mr. Brittan of Washington, D.C.

The old bill was introduced in the Senate by Mr. Cameron of Pa., and referred to a committee of which Senator H. W. Blair of New Hampshire, was chairman; but the McAdoo bill was afterward substituted in its stead.

In the House of Representatives, the bill on its presentation, was referred to the committee on labor, of which Hon. J. J. O'Neill of St. Louis, was chairman. It was the first bill reported on in that Congress, from any committee, by the Hon. Barnes Compton of Maryland, as chairman of the sub-committee to which the bill was referred. Then began the work of crystallizing public sentiment. It already existed, but it needed direction, and this now became the work of the legislative committee. Public sentiment, after waiting with some degree of patience, began to bombard Congress with personal letters and petitions. This caused the committee to make efforts to secure time for the consideration of its bills, but without success, until on the 20th of March, after a hard and stubborn fight, which was continued all through the morning hours of the following day, the resolution granting the time was given with, but seventeen votes in opposition. The Hon. John J. O'Neill proved himself a fighter of great force and ability, all through the two days struggle while "Our Dear Foster-Father," the Hon. S. S. Cox of New York proved himself again to be our particular friend.

The resolution granting the time having passed on the same day, asked for, the committee on labor, took the floor.

The second bill called up by Hon. Barnes Compton of Maryland, was the Eight Hour Bill for the letter carriers; and it was out on its immediate passage, with but one dissenting vote, which was cast by a Mr. Allen of Mississippi. So, without a speech or a word, the bill passed; for it was so well understood, thanks to those who had it in charge, and the fact which appeared on the very face of it to be a matter of simple justice. So quickly and adroitly was it handled by our friends, that neither our opponents nor our supporters could make any of the many speeches which had been prepared.

Attention was now turned to the Senate. Here we had reason to expect early action upon a bill with substantially the same provisions as the one that had already passed that body in previous session. But some one had been at work there, erecting obstacles, which were finally removed by patient work, and a thorough explanation of the equity of the measure. At last justice won. On the 15th day of May, the bill passed the Senate with but one dissenting vote.

All that was now requisite was the signature of the President, who signed it on the 23d of May, after a conference with the Hon. D. M. Dickinson, Postmaster General, a hearty sympathizer with the movement.

After the bill became a law, the carriers of New York wanted to celebrate the victory, and also to have a reunion to be participated in by all the carriers of the United States who could attend. The legislative committee was ordered to send out invitations, to collect the funds and to make what preparations were needed to make the affair as imposing as circumstances would permit. A

large amount of money was freely subscribed by the carriers, while from many quarters, citizens offered their financial aid, which was declined. For the carriers wanted to do this themselves. But nevertheless a public subscription was opened by the New York Star, through the kindness of Mr. G. K. Ackerman and at the suggestion of Mr. John Blakely (a downtown merchant, who had taken great interest in the affairs of the carriers) for the purpose of raising funds in order to present to the New York Carriers' Association a set of colors. The subscription list once opened, became a popular testimonial and four beautiful flags, two standards and two guidons, were purchased with the funds raised. Miss Sally Austin of East 14th street, to whom the artistic work was entrusted, covered herself with glory as an artist, and won her way in the hearts of many of the boys, for the eagerness and enthusiasm with which she did her work.

Invitations were promptly extended, and as promptly accepted by the letter carriers of all the adjacent cities as far south as Washington, as far north as Albany, and as far east as Boston. While many places that could not attend in a body, agreed to send delegates. Invitations were also sent to the postmasters of the cities who had expressed a willingness to be present through their carriers.

The fourth day of July, 1888, was the day fixed for the celebration, and a glorious Fourth it was. What better day could have been chosen for the celebration, than Independence Day? A day when every American feels he is greater than a king. The letter carriers of the United States, as representatives of the government, determined to show both their patriotism and independence, on the day of all others fitted for such a demonstration.

The plans of the committee in charge, were admirably carried out although they did not expect such a general response to their invitations. The morning of the Fourth came in brightly; unlike the warm, sultry weather which New Yorkers usually endure on that day, and it was a subject of wonder and congratulation, that the elements were with us. For it was the first Fourth of July for years that it had not rained. Not a cloud shaded the sky, while a cool breeze filled the air. With the morning came the boys from Baltimore, closely followed by those of Washington. Although it was too early for breakfast a committee of the New York Association was there to meet them as they stepped from the train, to escort them to their hotel. A little later the Boston carriers reached New York, with a goodly supply of culture, which caused us to feel that we must be mindful of our P's and Q's so as not to shock our erudite friends. Well, they did Boston credit, and looked true blue. As the day wore on, and the time for assembly arrived, the reception committee sent sub-committees to the various depots to receive the visitors. Meanwhile the New York Association was forming, preparatory to receiving the flags from the lands of the Citizens' Committee, which was waiting at the Mayor's office.

At 3:10 P.M. the order was given, "Forward, March," and the carriers of New York, 719 strong, in full uniform, swung out in line in two divisions, headed by the Ottis band of forty pieces. The march to the City Hall was short, and in a few minutes they were drawn up in line before that building; the big post-office making a fine background. The Hon. S. S. Cox was chosen to present the colors; which he did, in one of his inimitable speeches. The absorbing public interest in the event was manifested by the large crowd that filled the park to witness the ceremony; and in the fact that when John Blakely, as Chairman of the Citizens' Committee, and Mr. Ackerman of the New York Star, as Treasurer, came down the steps, holding the flags

aloft, the multitude sent up a shout that must have filled every heart with gladness.

During the ceremonies the boys from the Nutmeg State had arrived; also the Poughkeepsie and Albany contingents. They were formed in line on Mall street, together with the Baltimore and Washington representatives. The Jersey boys were ready in Courtlandt street waiting to take the place assigned to them.

The march down to the ferry at the foot of Liberty street was then taken up, to meet the Quaker City men, who were a little late; but when they did get here, they came in great force. Their appearance and bearing were very noticeable, and fully appreciated by all who saw them.

The procession on the march up Broadway was formed as follows: Police; Howard Dytech of Philadelphia, who, having been the delegate in behalf of the New York carriers, was invited to the head of the New York line, as special guest, by the marshal of the day; Grand Marshal George H. Newsom, of Station D.; Aldes: E. F. Mone of Station D.; Solomon Josephs of Station H.; Thos. Cordery of Station E.; Joseph P. Jones of Station D. Reception Committee: William Woods of Station G., Chairman, Ushers' Committee; Thomas Kelly of Station D., Chairman. Ottis City Band and Drum and Flute Corps. First division of New York Carriers, composed of all the branches on the east side; in all 375 men, under the command of James White of Station F.; second division of New York carriers under the command of Joseph P. Kearney of Station G., and headed by a band and drum and fife corps, composed of the carriers of the general post-office and all the branches on the west side; in all 350 men.

All the men in line wore white badges, inscribed "N.Y. Letter Carriers' Association, July 4th, 1888," and were formed into companies, ten files front. Station H. was the color company in the eastern division, and Station E. for the west side division. Each station was designated by a blue guidon. No comparison can be drawn of any one station with another, for each turned out every possible man, except the general post-office where some fifty men were afraid to go; reminding one of the Biblical proverb: "The wicked flee, when no man pursueth."

The Long Island City men, carrying a blue banner, paraded with the New York men, under the command of J. T. Collins. Next came second division, the Philadelphians, with their manly postmaster and staff at the head, and a large band and full corps of drummers and fifers. The Philadelphians were also divided into two divisions, both under the command of Col. Johnston. The committee of arrangements, Martin Malone, Chairman; James O. Sullivan, Secretary, followed the Colonel and his aids. Next in line were Frank Dorsey and Frank Braceland, who were delegates in Washington in favor of the bill.

Then came the prettiest of all, resplendent with banners and a beautiful set of colors which had been presented to the Quakers by the merchants of that city, previous to their departure for New York. That they looked fine was admitted on all sides, and they marched as they knew it too; with their new summer uniforms and straw helmets. The carriers of Camden, N. J., followed, having arrived with the Philadelphians.

The third division was composed of our New Jersey neighbors. And they looked fine with the David Island band at their head. Newark had the right of line of this division. Their postmaster and his staff at the head of the line. Well, the Newark boys weren't proud, but they were happy. For they had a beautiful blue banner and a very able marshal in the person of Albert Roessler. Then came Elizabeth, N.J., small, but of excellent quality, commanded by F. Ruhman. David Redmond led the boys of the busy city of

Paterson, followed by East and West Orange. M. H. Kelsey brought the Jersey City boys in all right, accompanied by their popular postmaster, M. Kelly. New Brunswick brought up the rear of this division, under the command of David F. Smith.

The fourth division was of a miscellaneous character. The Eagle Drum and Flute Corps of the annexed district, furnished the music. First came Washington, with little Al Parker and good-natured Dave Browser in command, in their caps and lawn tennis shirts. The Washington carriers had General Superintendent Bell with them. Then the Baltimoreans, all alive to the requirements of the occasion, with their General Superintendent. We will never forget them, for if a whole-souled crowd struck New York, it was the Baltimore carriers. Frank Murray had the honor to command them. David L. White followed with the Boston contingent, modest and refined as usual. Connecticut was represented by all the carriers in the vicinity of Hartford and New Haven, in charge of L. T. Seymour and Henry M. Cummings, respectively. They had the proverbial yankee nutmegs fastened to their badges. Then led by John S. Wohsen came Poughkeepsie with full ranks, to swell the general number, looking very chipper, as becomes New York men. Albany was the last of this division, under command of M. J. Lawler.

Fifth division. Last but not least, came Brooklyn, with the best band in Brooklyn at its head, and under command of Brother Nash, as bright and good-looking as could be, even for a Brooklyn man, and that is saying a good deal; for Brooklyn is full of good-looking men, especially in the post-office. Brooklyn turned out strong, bringing almost every available man, together with the messenger boys; and they made a decided impression as they marched up Broadway.

All along the lines the people applauded and gave unmistakable signs of their pleasure, and a hearty welcome to the visitors. Marching down East Twelfth street, in order to give a passing salute to Mrs. S. S. Cox, the procession was there met by a large concourse of people. The New York men were halted and presented with a large and beautiful silk American flag by Hon. S. S. Cox, in one of his witty speeches, on behalf of Mr. Strauss, representing the firm of R. H. Macy & Co. After which the parade was reviewed at the grand stand, Union Square, thence to Neilson Hall where a collation was spread.

A meeting was then held in the Academy of Music, which was crowded to the doors. On the stage were many of New York's most prominent men, while the private boxes were filled with lady friends of the carriers. Most conspicuous of all was the box in which was the wife and her friends, of Hon. S. S. Cox. In another box, was Mrs. Howard Dytch, and daughter of Philadelphia, with their friends. Mrs. George H. Newsom, together with friends also occupied one of the boxes. Ex-Postmaster General, Thos. L. James, with a party of gentlemen, occupied a lower box. Postmasters Harry of Philadelphia, and Hendrix of Brooklyn, who also occupied a box, were called upon to make speeches late in the evening; which they did in a quiet, dignified manner, that won the hearts of all present.

The meeting was called to order by the chairman of the legislative committee. Prayer was offered by Rev. Wilbur E. Crafts. The "Anthem of Liberty" was rendered by the Concordia Chorus, directed by Mrs. Agatha Munier Atkins. An address was delivered by Mr. George H. Newsom. The reading of resolutions and letters by E. F. Mone followed. Among the resolutions adopted was one which appointed a committee of one from each city represented at the demonstration, to select suitable testimonials to be presented to those Congressmen and other friends, who were named by another resolution, which was afterward presented and

passed. An address by Hon. S. S. Cox followed, after which the song "Star Spangled Banner" was given by the Concordia Chorus in stirring style.

Isaac Allen, Jr., in a few well-chosen remarks in behalf of the New York Carriers' Association, presented to Howard Dytch, a gold watch and chain as a mark of esteem and in recognition of services rendered as delegate for the New York office in Washington, and for his efforts in support of the Eight Hour Bill. Mr. Martin Malone of Philadelphia, then presented to Messrs. Frank Dorsey and Frank Braceland, both of Philadelphia, similar tokens of respect and appreciation for their services as delegates from Philadelphia. Addresses by Rev. Wilbur E. Crafts; Dr. Edward McGlynn, D.D. and Hon. E. F. Reilly, were followed by the song "Red, White and Blue," the whole audience joining in the chorus. This closed the meeting.

The Hon. J. J. O'Neil of Mo., who did so much to secure the passage of the law, and the Hon. Wm. F. McAdoo of New Jersey, who presented the bill, were invited but could not attend. This was a great disappointment. Letters of regret were read by the Secretary, from the President, Governor Hill, many Senators in Congress and other men in public life. At the close of the meeting, a line was formed and the out-of-town carriers were escorted to the ferries and depots.

Thus ended the greatest day on record for the carriers of the United States. We have a hope that it will be eclipsed in the future, for we trust the day will come when a national organization will be formed, embracing every carrier in the country. The carriers came together in a proper spirit, and made a display of true manhood and self-respect, which reflected credit on the department, and on the men themselves. He would be a churl indeed, who could not take pleasure in such a demonstration. Many friendships were formed, which may last through life.

Now, on behalf of the Association of the New York Carriers, we extend our thanks to the public, who have always been anxious to give us justice; to the Press of New York for its earnest support; to the many labor organizations of New York, Long may they flourish! to the Pulpit; to the postmasters of many large cities; to President Cleveland; to Postmaster General Dickinson, who by giving his approval, caused the bill to be signed, and who believed in the enforcement of the law, in spirit and letter. Thanks are also due to the carriers of the City of Philadelphia, who as pioneers, went forward in the fight and stayed till the end.

Thanks to the true men of the New York office who were willing to lay their reputations and positions on the altar of justice, who by their money, time and ability, all so freely given, held up the hands of those who were in the thickest of the fight.

It is to be regretted that so many of them were not in the department after the victory had been won, so they could enjoy what there was of fruit of their labor.

THE LETTER CARRIERS

In our peregrinations on the Fourth of July, up and down town in pursuit of items for the Hebrew Journal's readers, one subject appeared to interest our citizens almost to the exclusion of any other, and that was the parade of the letter carriers, and their subsequent exercises. They are unmistakably a popular body of men, they looked well as they marched past, kept good time, clean looking, excellent walkers, easy, lithe, swinging steppers, well built men with intelligent faces.

When we listened to the eloquent and sensible address delivered to them by Hon. S. S. Cox the one thing we thought ought to have been accentuated, dwelt on and brought out, was, and is the fact, that no

body of men in New York combine so many excellent qualities. We have bank clerks and trust officials who handle with perfect safety to their owners, cash and valuable securities; attorneys and secret agents who guard the secrets of their clients for a price; but here is a body of men, who with the exactitude of a running railroad, come on daily with their tasks—"no postponement with them on account of the weather;" they are necessarily the guardians and custodians of many secrets, some of peril, many of importance, and a few of delicacy. Who ever heard of a letter carrier indiscreet enough to tattle or betray? Think of the countless little envelopes covering articles of value, messages of importance, of love, which if lost or even mislaid would lead to endless vexation, cross purposes, mortification and damage, and yet rarely one among the numberless packets are lost. Their care, vigilance and reliability are marvelous. Surely these are honest men, which if one was the "noblest work of God," as the poet has it, then so many as are the letter carriers must be a good day's work even for Him.—From *Hebrew Journal*, July, 1888.

A MATTER OF LIFE AND DEATH

(Mr. DANIELS of New Jersey asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. DANIELS of New Jersey. Mr. Speaker, "A Matter of Life and Death" is the way Newsweek magazine recently described the unsafe conditions in American workplaces. I commend this article in the August 17 edition to my colleagues and call particular attention to five points it raises:

First, the fact that "materials and processes are becoming more complex and dangerous, with safety tending to take a second place to speed of production."

Second, the twelvefold undercounting of injury and death statistics as estimated by a private research firm's study for the Department of Labor.

Third, the hazardous industries such as mining, drilling, quarrying, and logging, plus the insidious "silent killers" such as corrosive chemicals, noxious fumes and debilitating dust particles.

Fourth, the safety record that can be compiled when industry conscientiously and scrupulously endeavors to improve working conditions.

And finally, the legislation pending before this Congress. As Newsweek says, both the workers, the administration, and the Congress are aware of the urgent need for legislation. But Newsweek contends there is division on the nature of the bill to be passed, which, it concludes, could result in an impasse. I do not concur in this conclusion, for I believe that with a need so apparent and with a subject so vital as the very lives of American working men and women, this, the second session of the 91st Congress, will pass an equitable and appropriate occupational safety and health bill. I believe H.R. 16785 to be such a bill.

It was after 15 days of public hearings, including a total of seven markup sessions in subcommittee and full committee that H.R. 16785 was reported to this distinguished body. This bill provides long-overdue provisions for research into causes of diseases, monitoring of ambient

dangers, reporting procedures, as well as provisions for setting of standards and inspections. The provisions of the Administrative Procedure Act are applicable, and aggrieved employers and employees have recourse to the district court or the Court of Claims.

I urge my colleagues to join in support of H.R. 16785, the Occupational Safety and Health Act.

The text of the Newsweek article follows:

A MATTER OF LIFE AND DEATH

The reminders are everywhere: small signs on grinding machines warning operators to wear protective goggles; big signs on plant walls cautioning "Don't Gamble With Safety." And somehow, the signs themselves convey the reassuring assumption that working in American industry is safe and probably getting safer. The National Safety Council itself asserts that Americans are safer at work than in their homes. But in truth, the signs might well read "Warning: Working May Be Hazardous to Your Health." Materials and processes are becoming more complex and dangerous; safety tends to take second place to speed of production; a lethal blend of carelessness and complacency results in 2 million injuries and 14,000 deaths every year from industrial accidents. Or, as former Secretary of Labor George Shultz starkly puts it: "During the past four years more Americans have been killed where they work than in Vietnam."

Almost surely, Shultz understates the case. The government's own statistics show that the rate of industrial accidents soared by 23 per cent between 1958 and 1967, the latest year for which figures have been compiled. But since only sixteen states cooperate with the Federal government in keeping records, the Labor Department's figures are based on questionnaires filled out by employers themselves. And not all the businessmen, complain such critics as president I. W. Abel of the United Steelworkers union, make honest reports. "If a fellow breaks his leg," Abel charges, "the company will bring him to work in a taxi, give him a soft job, really just let him sit around, and not report the accident." Consumer advocate Ralph Nader, who is preparing a book on industrial safety, charges that some companies go to extreme lengths to suppress sloppy safety records. A large beryllium producer, Nader says, once warned a company doctor that he would be looking for another job if he published a report on beryllium poisoning among employees of the plant.

All told, an AFL-CIO safety committee estimated last week, the official statistics tell only half the story; the true accident rate comes to 4 million disabling injuries a year. And even this figure may be far short of the mark; in fact, a private research firm working for the Labor Department estimates that no fewer than 25 million workers are injured every year—twelve times the official figure—and 500,000 more are disabled by occupational diseases.

Good Earth: Accident rates are highest for jobs involved with wresting resources from the earth. Mining, quarrying, logging and oil-well drilling all exact a heavy toll. Whatever the industry, the most common single killer is the motor vehicle, from the farm tractor to the fork-lift truck in the factory. But the greatest number of job accidents result from falls and falling objects, such as the huge, 450-foot-long pipe at U.S. Steel Corp.'s Gary works that clogged up with sludge and crashed last winter, killing three men and injuring five.

Apart from outright accidents, no one knows for sure how many workers have been struck down by silent killers in the form of

corrosive chemicals, noxious fumes and debilitating dust particles that have become commonplace ingredients of the manufacturing process. Because of the high costs of installing safety equipment, small companies with old plants cause a disproportionate share of the disabilities. In Muskegon, Mich., for example, the Lakey Foundry Co. has only 1,000 employees, but more than 350 suits demanding compensation for injuries have been filed against the company. The problem: a thick carpet of silica dust from the sand used in the casting process. Inhaled over a long period of time, a condition that transforms men into cripples racked by paroxysms of coughing.

The foundry's air was tested in 1945 and found to contain ten times the recommended safe level of dust. Twenty years later the limits had been cut in half, but the air was about as dirty as ever. Lakey president Guy F. Campbell admits that "with the older plants we have it's a problem." But Muskegon lawyer Jerry S. McCroskey has another—and more indignant—explanation. Because the maximum liability of a Michigan foundry in the case of silicosis is only \$12,500, plus medical and funeral expenses, McCroskey says, "it has been so inexpensive to disable or kill a man . . . that it has not been worthwhile to clean up."

Silicosis is just one of many crippling and deadly respiratory diseases common to industry. In the insulating trade, estimates Dr. Irving J. Selikoff of New York's Mount Sinai School of Medicine, 8 per cent of all the workers will die from asbestosis caused by breathing tiny particles of asbestos. The disease was identified in 1924; yet when New York City passed safety standards last spring for the spraying of asbestos, it was the first city in the U.S. to do so.

Venaf? And this indifference to health is widespread. More than 100,000 of the nation's 1 million textile-mill workers have contracted byssinosis, or brown-lung disease, from inhaling cotton dust, according to estimates made by New Jersey's Sen. Harrison Williams. Yet an article in the American Textile Reporter, a widely read trade publication, dismisses the disease as "a thing thought up by venal doctors who attended last year's ILO meeting in Africa, where inferior races are bound to be afflicted by new diseases more superior people defeated years ago."

Nowhere has the disregard for safety been more flagrant than in the mining of coal, which has been the most dangerous occupation in the U.S. for years. In fact, coal mines have claimed the staggering toll of 80,000 lives since the Bureau of Mines began keeping records in 1910. But even so, Congress did not get around to enacting the first mine-safety law until 1941.

Hobbles: It was not until 1968 and the explosion of Consolidation Coal's mine at Farmington, W.Va., killing 78 men, that Congress was jolted into passing a more comprehensive Mine-Safety Act. With the added disclosure that thousands of miners had been sent to early graves by pneumoconiosis, or black-lung disease, the new act set the first limits on the level of coal dust permitted in underground chambers. But effective enforcement of the 1968 standards has been hobbled by the failure of the Nixon Administration to appoint a new Director of Mines to replace Democrat John F. O'Leary. Although appropriations for the Bureau of Mines were quadrupled last year to \$13 million to hire more mine inspectors, Nader charged last week that the agency was actually conducting only one-eighteenth as many inspections as it did last year.

The generally unimpressive industrial-safety record in the U.S. has a good many causes, none of them reflecting much credit on those responsible. Union leaders too often are willing to barter safety for a wage hike.

Employers tend to try to coax a little more life from worn-out and unsafe machinery. State safety standards are too often antiquated and ineffective, and there aren't enough inspectors to enforce the ones on the books. Indeed, four states have no safety inspectors at all, and the Bureau of Labor Statistics estimates that of the 1,524 state inspectors in the entire country, only 827 are available for general safety inspection—a third of the number of fish and game wardens in the U.S.

While the record is certainly better than it was 50 years ago, it is clearly not good enough. Nor is it up to the standard of many European countries, where job safety is a matter of national policy. A British factory worker is only one-third as likely to be disabled as his U.S. counterpart. Only one out of every 12,000 Swedish workers is killed at work—lower than half the U.S. rate—and the Swedish accident rate has not gone up since 1955.

Net Gain: By careful planning, a few U.S. companies have set enviable records. Through a total approach to safety, one du Pont chemical factory operated for 45 million man-hours without a single disabling injury. A Houston construction firm spent \$90,000 stringing a safety net around the base of a 50-story office building and found the investment paid off in faster production.

And increasingly, safety problems are moving beyond the plant gates. Indeed, the impetus for stiffer standards has been measurably increased by a wave of industrial accidents that threaten the public at large as well as the workers involved. Routinely, deadly phosgene gas is shipped about the country for processing into plastics. Fumes of the common fertilizer, anhydrous ammonia, are lethal, as shown by the death of eight residents of Crete, Neb., when two tank cars carrying the stuff were derailed there last year. Because so many of these hazards involve transportation—and because railroad accidents increased by an alarming 66 per cent between 1963 and 1968—pressure lately has focused on improving the standards of the nation's crumbling rail network. Last week, the House approved and sent to conference committee a bill giving the Department of Transportation broad powers to set new standards for the shipment of hazardous cargoes.

No Hiding Place: But Congress has yet to come to grips with a stringent, effective national industrial safety act. The time may be at hand; at long last, workmen themselves are beginning to clamor for protection. Says an official of the United Auto Workers: "The men have abandoned the falling-object syndrome that used to assume a guy could protect himself. Now they see there are a lot of environmental situations that can't be handled by safety goggles and hard-toe shoes. And they are up in arms."

Feeling this pressure, the Nixon Administration has sent up a bill that would delegate the power to establish and enforce new safety regulations to a five-man Presidential panel. But Congress is divided between this measure and a House bill that would give the Secretary of Labor the direct authority to order companies to eliminate unsafe job practices. Organized labor and the vocal reformers, including Nader, support the House version, while the Chamber of Commerce and the National Association of Manufacturers back the Administration. Because of this impasse, the prospect for passage of either bill is rated slim. But any extended deadlock seems sure to ignite protest among reformers, who see the delay as a plain matter of life and death. "In a nation deeply concerned with human and economic progress," says George Shultz "such backsliding is a matter for distress."

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. Over 130,000 foreign students a year come to the United States to advance their education at more than 2,000 institutions of higher education.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted as follows to:

Mrs. HANSEN of Washington, for August 12, 13, 14, September 9, 10, 11, 14, on account of official business in district.

Mr. FLYNT (at the request of Mr. ALBERT), for today, on account of official business.

Mr. HAGAN (at the request of Mr. ALBERT), from 5 p.m. August 11 and remainder of day, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. HOLFIELD, Wednesday, August 12, for 30 minutes, to revise and extend his remarks and to include extraneous matter.

(The following members (at the request of Mr. SCOTT) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. BUSH for 5 minutes today.

Mr. BUSH for 5 minutes on August 12.

Mr. MESKILL for 5 minutes on August 12.

Mr. GOODLING for 1 hour on August 13.

Mr. SCHWENDEL for 15 minutes today.

(The following Members (at the request of Mr. DANIEL of Virginia) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. DENT for 30 minutes today.

Mr. ROONEY of Pennsylvania for 15 minutes today.

Mr. COHELAN for 10 minutes today.

Mr. LOWENSTEIN for 60 minutes on August 13.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BOGGS in two instances, and to include extraneous matter.

Mr. HOGAN immediately following Mr. FUQUA on the conference report on H.R. 17711, amending the District of Columbia Cooperative Association Act.

(The following Members (at the request of Mr. SCOTT) and to include extraneous matter:)

Mr. WEICKER.

Mr. TAFT in two instances.
Mr. SCHMITZ in two instances.
Mr. HALL.
Mr. STEIGER of Wisconsin in two instances.
Mr. SPRINGER in two instances.
Mr. BUSH.
Mr. CONABLE.
Mr. THOMPSON of Georgia.
Mr. WYMAN in two instances.
Mr. HUNT in two instances.
Mr. CRAMER.
Mr. MINSHALL in two instances.
Mr. DON H. CLAUSEN in two instances.
Mr. ASHBROOK.
Mr. WOLD.
Mr. BROWN of Ohio.
Mr. GOODLING.
Mr. BOB WILSON in two instances.
Mr. SCHWENDEL.
Mr. BROYHILL of Virginia in two instances.

Mr. WYATT.
Mr. FISH.
Mr. ESHLEMAN.
Mrs. HECKLER of Massachusetts.
Mr. COLLIER in five instances.

(The following Members (at the request of Mr. DANIEL of Virginia) and to include extraneous matter:)

Mr. GAYDOS in four instances.
Mr. DADDARIO in five instances.
Mr. MACDONALD of Massachusetts in three instances.

Mr. BOGGS.
Mr. KLUCZYNSKI in two instances.
Mr. STEED in two instances.
Mr. MIKVA in eight instances.
Mr. COHELAN in five instances.
Mr. CULVER in two instances.
Mr. WALDIE in two instances.
Mr. FRASER in two instances.
Mr. RODINO in three instances.
Mr. DIGGS in five instances.
Mr. DINGELL in two instances.
Mr. WOLFF.
Mr. NICHOLS.
Mr. HELSTOSKI in two instances.
Mr. KOCH.
Mr. PATTEN.
Mr. ULLMAN in 10 instances.
Mr. FOUNTAIN in two instances.
Mr. CAREY.
Mr. KARTH.
Mr. TAYLOR in two instances.
Mr. MCFALL.
Mr. ZABLOCKI in four instances.
Mr. HUNGATE.

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. 17711. An act to amend the District of Columbia Cooperative Association Act, 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 7 o'clock and 59 minutes p.m.), the House adjourned until tomorrow, Wednesday, August 12, 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:

2297. A letter from the Secretary of the Army, transmitting a report on the number of officers on duty with Headquarters, Department of the Army, and detailed to the Army General Staff on June 30, 1970, pursuant to 10 U.S.C. 3031(c); to the Committee on Armed Services.

RECEIVED FROM THE COMPTROLLER GENERAL

2298. A letter from the Comptroller General of the United States transmitting a report on improved accounting control over equipment at the Kennedy Space Center, National Aeronautics and Space Administration; to the Committee on Government Operations.

2299. A letter from the Comptroller General of the United States transmitting a report on reduction of cost by improving management of Department of Defense vehicle maintenance in Europe; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. H.R. 15549. A bill to further the effectiveness of shipment of goods and supplies in foreign commerce by promoting the welfare of U.S. merchant seamen through cooperation with the United Seamen's Service, and for other purposes; with amendments (Rept. No. 91-1404). Referred to the Committee of the Whole House on the State of the Union.

Mr. FALLON: Committee on Public Works. H.J. Res. 1179. Joint resolution granting the consent of Congress to amendments to the compact creating the Potomac Valley Conservancy District and establishing the Interstate Commission on the Potomac River Basin; without amendment (Rept. No. 91-1405). Referred to the Committee of the Whole House on the State of the Union.

Mr. GARMATZ: Committee on Merchant Marine and Fisheries. S. 3153. An act to authorize the Secretaries of Interior and the Smithsonian Institution to expend certain sums, in cooperation with the territory of Guam, the territory of American Samoa, the Trust Territory of the Pacific Islands, other United States territories in the Pacific Ocean, and the State of Hawaii, for the conservation of their protective and productive coral reefs; without amendment (Rept. No. 91-1406). Referred to the Committee of the Whole House on the State of the Union.

Mr. DELANEY: Committee on Rules. House Resolution 1185. Resolution for consideration of H.R. 7521, a bill to reauthorize the Riverton extension unit, Missouri River Basin project, to include therein the entire Riverton Federal reclamation project, and for other purposes (Rept. No. 91-1407). Referred to the House Calendar.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 1186. Resolution for consideration of H.R. 9306, a bill to provide for the establishment of the Apostle Islands National Lakeshore in the State of Wisconsin, and for other purposes. (Rept. No. 91-1408). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 1187. Resolution for consideration of H.R. 9804, a bill to amend Public Law 394, 84th Congress, to authorize the construction of supplemental irrigation facilities for the Yuma Mesa Irrigation District, Arizona. (Rept. No. 91-1409). Referred to the House Calendar.

Mr. DELANEY, Committee on Rules, House Resolution 1188. Resolution for consideration of H.R. 13001, a bill to amend the act of June 13, 1962 (76 Stat. 96), with respect to the Navajo Indian irrigation project. (Rept. No. 91-1410). Referred to the House Calendar.

Mr. DELANEY, Committee on Rules, House Resolution 1189. Resolution for consideration of H.R. 16987, a bill to authorize the Secretary of the Interior to construct, operate, and maintain the Minot extension of the Garrison diversion unit of the Missouri River Basin project in North Dakota, and for other purposes (Rept. No. 91-1411). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. CASEY:

H.R. 18891. A bill to amend title 18 of the United States Code to provide for increased penalties for certain illegal use or possession of explosives; to the Committee on the Judiciary.

By Mr. CORMAN:

H.R. 18892. A bill to amend the Federal Property and Administrative Services Act of 1949 in order to establish Federal policy concerning the selection of firms and individuals to perform architectural, engineering, and related services for the Federal Government; to the Committee on Government Operations.

By Mr. FARBSTAIN:

H.R. 18893. A bill to permit any of certain municipalities to be considered as a "State" for the purpose of applying for benefits under certain Federal grant-in-aid programs, and for other purposes; to the Committee on Government Operations.

By Mr. FISH:

H.R. 18894. A bill to amend the Internal Revenue Code with respect to ammunition recordkeeping requirements; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 18895. 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.

H.R. 18896. A bill to amend title II of the Social Security Act to provide that full old-age, survivors, and disability insurance benefits (when based upon the attainment of retirement age), and medicare benefits, will be payable to men at age 60 and to women at age 55; to the Committee on Ways and Means.

By Mr. KEE (for himself, Mr. SLACK, Mr. SAYLOR, Mr. FLOOD, Mr. GRAY, Mr. NIX, Mr. YATRON, Mr. DENT, Mr. PERKINS, Mr. ELLBERG, Mr. STUBBLEFIELD, Mr. OLSEN, Mr. CORBETT, Mr. STAGGERS, Mr. MOLLOHAN, Mr. HAYS, Mr. CLARK, Mr. GAYDOS, Mr. WAMPLER, Mr. MORGAN, Mr. WHALLEY, Mr. EDMONDSON, and Mr. PRICE of Illinois):

H.R. 18897. A bill to amend title XVIII of the Social Security Act to provide medicare benefits (financed from general revenues) for disabled coal miners without regard to their age; to the Committee on Ways and Means.

By Mr. KOCH:

H.R. 18898. A bill to provide a program of pollution control in selected river basins and waterways of the United States through comprehensive planning and financial assistance to municipalities and regional management associations for the construction of waste treatment facilities; to the Committee on Public Works.

By Mr. McCURE (for himself and Mr. HANSEN of Idaho):

H.R. 18899. A bill to temporarily withdraw certain national forest lands in the State of Idaho from the operation of the U.S. mining laws, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. HANSEN of Idaho (for himself and Mr. McCURE):

H.R. 18900. A bill to establish the Sawtooth Mountains National Park in the State of Idaho, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. MESKILL (for himself, Mr. WEICKER, Mr. REES, Mr. SCHWENDEL, Mr. BUTTON, Mr. WRIGHT, Mr. HATHAWAY, Mr. OTTINGER, Mr. TIERNAN, Mr. FRASER, Mr. OLSEN, Mr. RODINO, Mr. DUNCAN, Mr. MORSE, Mr. HARRINGTON, Mr. CHARLES H. WILSON, Mr. MEEDS, Mr. HALPERN, Mr. ST GERMAIN, Mr. ERLBORN, Mr. FRIEDEL, Mr. WILLIAM D. FORD, Mr. ASHLEY, and Mrs. GREEN of Oregon):

H.R. 18901. A bill to establish a commission on the medical and psychological adequacy of the physical and mental examinations conducted by the Armed Forces with respect to registrants under the selective service laws; to the Committee on Armed Services.

By Mr. MIKVA:

H.R. 18902. A bill; National Public Employee Relations Act; to the Committee on Education and Labor.

H.R. 18903. A bill to provide for the mandatory civil commitment of certain narcotic addicts, to provide for more facilities for treating, supervising, and controlling narcotic addicts, and for other purposes; to the Committee on the Judiciary.

By Mrs. MINK (for herself, Mr. BRADEMAS, Mr. CORMAN, Mr. HANNA, Mr. HATHAWAY, Mr. HAWKINS, Mr. HOWARD, Mr. HECHLER of West Virginia, Mr. LEGGETT, Mr. WILLIAM D. FORD, Mr. LOWENSTEIN, Mr. MIKVA, Mr. OLSEN, and Mr. ROYBAL):

H.R. 18904. A bill to amend title II of the Social Security Act to provide in certain cases for an exchange of credits between the old-age, survivors, and disability insurance system and the civil service retirement system so as to enable individuals who have some coverage under both systems to obtain maximum benefits based on their combined service; to the Committee on Ways and Means.

By Mr. MONAGAN:

H.R. 18905. A bill to establish certain qualifications for election to the offices of President and Vice President of the United States; to the Committee on House Administration.

By Mr. MURPHY of New York:

H.R. 18906. A bill to strengthen the penalties for illegal fishing in the territorial waters and the contiguous fishery zone of the United States, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 18907. A bill to further the effectiveness of shipment of goods and supplies in foreign commerce by promoting the welfare of U.S. merchant seamen through cooperation with the United Seamen's Service, and for other purposes; to the Committee on Merchant Marine and Fisheries.

H.R. 18908. A bill to authorize the Secretaries of Interior and the Smithsonian Institution to expend certain sums, in cooperation with the territory of Guam, the territory of American Samoa, the Trust Territory of the Pacific Islands, other U.S. territories in the Pacific Ocean, and the State of Hawaii, for the conservation of their protective and productive coral reefs; to the Committee on Merchant Marine and Fisheries.

By Mr. WYATT:

H.R. 18909. A bill 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.

By Mr. CAREY:

H.R. 18910. A bill to promote the economic development of the Trust Territory of the Pacific Islands; to the Committee on Interior and Insular Affairs.

H.R. 18911. A bill to amend section 4 of the Revised Organic Act of the Virgin Islands relating to voting age; to the Committee on Interior and Insular Affairs.

By Mr. FASCELL:

H.R. 18912. A bill to require the Department of Defense to determine disposal dates and methods for disposing of certain military material; to the Committee on Armed Services.

H.R. 18913. A bill to prohibit the discharge into any of the navigable waters of the United States or into international waters of any military material without a certification by the Council on Environmental Quality approving such discharge; to the Committee on Merchant Marine and Fisheries.

H.R. 18914. A bill to require the Council on Environmental Quality to make a full and complete investigation and study of national policy with respect to the discharging of material into the oceans; to the Committee on Merchant Marine and Fisheries.

By Mr. FULTON of Tennessee (for himself, Mr. BROYHILL of Virginia, Mr. CEDERBERG, Mr. BOW, Mr. HARSHA, Mr. KUYKENDALL, Mr. COLLIER, Mr. CARTEE, Mr. PETTIS, Mr. FLOWERS, Mr. NELSEN, Mr. BROWN of Ohio, Mr. YATRON, Mr. ESCH, Mr. BUTTON, Mr. KYROS, Mr. PUCINSKI, and Mr. CONABLE):

H.R. 18915. A bill to amend the Social Security Act to provide for medical and hospital care through a system of voluntary health insurance financed in whole for low-income groups, through issuance of certificates, and in part for all other persons through allowance of tax credits, and to provide a system of peer review of utilization, charges, and quality of medical services; to the Committee on Ways and Means.

By Mr. HAGAN:

H.R. 18916. A bill to authorize the United States to transfer the nuclear vessel N.S. Savannah to the City of Savannah, Georgia, for the purpose of preserving and establishing such vessel in its homeport for all generations, as a monument to the peaceful uses of atomic energy; to the Committee on Government Operations.

By Mr. PEPPER (for himself, Mrs. GRIFFITHS, Mr. NIX, Mr. WALDIE, Mr. MR. STEIGER of Arizona, Mr. LEGGETT, Mr. KOCH, Mr. HARRINGTON, Mr. TUNNEY, and Mr. KEE):

H.R. 18917. A bill to extend the powers of the Federal Insurance Administration to make crime protection insurance available to small business concerns; to the Committee on Banking and Currency.

By Mr. ROONEY of Pennsylvania:

H.R. 18918. A bill to amend the Interstate Commerce Act to provide increased fines for violation of the motor carrier safety regulations, to extend the application of civil penalties to all violations of the motor carrier safety regulations, to permit suspension or revocation of operating rights for violation of safety regulations, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FASCELL:

H. Con. Res. 704. Resolution expressing the sense of the Congress with respect to the pollution of waters all over the world and the necessity for coordinated international action to prevent such pollution; to the Committee on Foreign Affairs.

By Mr. VANIK:

H. Con. Res. 705. Resolution on the conversion to a low-emission propulsion system

for motor vehicles to replace the internal combustion engine; to the Committee on Interstate and Foreign Commerce.

By Mr. CRAMER:

H. Res. 1190. Resolution expressing the sense of the House with respect to an early resolution by the Supreme Court of the problems involved in desegregating the Na-

tion's public schools; to the Committee on the Judiciary.

By Mr. PIRNIE:

H. Res. 1191. 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 XXII,

Mr. SCHWENGEL introduced a bill (H.R. 18919) for the relief of Marina J. Kollias, which was referred to the Committee on the Judiciary.

SENATE—Tuesday, August 11, 1970

The Senate met at 10 a.m. and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Eternal Father, help us to be masters of ourselves that we may be servants of others.

We commit our eyes, our ears, our minds, our tongues, our beings to Thee. Guard us in temptation. Enable us to speak the truth in love. When the way is hard, the direction vague, and the solution eludes us, grant that our spiritual life may hold its course.

Spare us, O God, from ever giving up until the whole earth is saturated with Thy light and truth, until men learn to walk in the way of peace, and Thy spirit has dominion over all the nations.

In the Master's name we pray. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore of the Senate (Mr. RUSSELL).

The assistant legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., August 11, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. James B. Allen, a Senator from the State of Alabama, to perform the duties of the Chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. ALLEN thereupon took the chair as Acting President pro tempore.

THE JOURNAL

Mr. MANSFIELD. Mr. President I ask unanimous consent that the reading of the Journal of the proceedings of Monday, August 10, 1970, be dispensed with.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER OF BUSINESS

The ACTING PRESIDENT pro tempore. At this time, under the previous order, the Chair now recognizes the distinguished Senator from Idaho (Mr. CHURCH) for not to exceed 15 minutes.

Mr. MANSFIELD. Mr. President, will the Senator from Idaho yield to me with out losing any of his time or losing the floor?

Mr. CHURCH. I yield.

COMMITTEE MEETINGS DURING SENATE SESSION

Mr. MANSFIELD. Mr. President, I ask unanimous consent that all committees be authorized to meet during the session of the Senate today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR JACKSON TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from Washington (Mr. JACKSON) be recognized for not to exceed 40 minutes, following the speech by the distinguished Senator from Colorado (Mr. ALLOTT) today.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR RECOGNITION OF SENATOR JAVITS TODAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the distinguished Senator from New York (Mr. JAVITS) be recognized for not to exceed 15 minutes following the speech by the distinguished Senator from Ohio (Mr. YOUNG), which will occur before the Senate proceeds to the transaction of routine morning business.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

ORDER FOR THE TRANSACTION OF ROUTINE MORNING BUSINESS

Mr. MANSFIELD. Mr. President, I ask unanimous consent that at the conclusion of the speech by the distinguished Senator from New York (Mr. JAVITS) today, there be a period for the transaction of routine morning business, with statements therein limited to 3 minutes.

The ACTING PRESIDENT pro tempore. Without objection, it is so ordered.

S. 4212 AND S. 4213—INTRODUCTION OF BILLS RELATING TO THE SAWTOOTH BASIN IN IDAHO

Mr. CHURCH. Mr. President, on behalf of myself and my distinguished colleague from Idaho (Mr. JORDAN), I submit for appropriate reference a bill to create a national park in the uplands surrounding the Sawtooth Valley in south-central Idaho. A similar bill is being introduced in the House by the other members of the Idaho delegation. We believe that this spectacular alpine region fully qualifies for national park status and would benefit from the special supervision that such a designation brings.

The Sawtooth Mountains—jagged monoliths of granite piercing the sky like the teeth of a gigantic saw—offer summits of unblemished wilderness. The adjoining White Cloud range, an 8-by-10-mile area of breathtaking grandeur, is bedecked with chains of crystalline lakes. The lofty Boulder Mountains, to the south of the White Clouds, round out the complex.

Mr. President, you will recall that the Senate passed a bill on July 2, 1969, to establish the Sawtooth National Recreation Area. This bill, S. 853, which Senator JORDAN and I sponsored, we amended on the floor just before passage to include the White Clouds and to augment Forest Service regulation of prospecting and mining in this beautiful but fragile region. The bill is still pending in the House, although hearings were conducted by the House Interior and Insular Affairs Committee in Washington last year. The House has now scheduled a field trip for August 25 and a hearing on August 26 at Sun Valley, Idaho.

The Senate floor amendment of S. 853 was generated by a threat of a road in the White Clouds and an open pit mine in the very heart of this alpine region, without doubt one of the most beautiful in the Nation. That threat remains, as does the threat of impinging and unsightly commercialization of the Sawtooth Valley, where private ranchlands present an unspoiled remnant of the Old West and a colorful introduction to the mountains.

For several months, the four members of the Idaho congressional delegation have met periodically to discuss an adequate management program for this region. We have concluded that the controversy over possible open pit mining in the White Clouds—which has attracted national attention—must not be permitted to preempt the enactment of legislation needed now to protect the scenic attractions of this superb mountain area.

We have, accordingly, decided to urge prompt enactment by the House of an amended version of the Sawtooth National Recreation Area bill approved by the Senate. This would furnish the Forest Service with urgently needed authority to establish zoning regulations to protect the Sawtooth Valley from defacement. We are also recommending that the House update the bill to provide interim protection, not presently available, to the White Clouds, Boulder, and Sawtooth Ranges. This interim protection, offered in the form of a separate jointly sponsored bill, would confer authority on the Forest Service to prevent injurious disturbance of surface lands in the protected area caused by motorized and mechanical equipment. It would also impose a fixed-term moratorium on the