

The National League of Families of American Prisoners in Southeast Asia are setting aside September 27–October 3, 1970, as a week during which all citizens are urged to pay special tribute to those brave men who, in the service of their Country, are known to be in the hands of the enemy or missing in action.

All officials in our cities and municipalities are asked to join their fellow citizens in demanding that the government of North Viet Nam abide by the provisions of the Geneva Convention of 1954 and to provide

the United States Government with a complete list of all American prisoners; release the sick and wounded; see that all prisoners receive a proper diet and medical care; allow impartial inspection to be made of all prison facilities and permit a free flow of mail between the prisoners and their families.

Therefore, I, Raymond P. Shafer, Governor of the Commonwealth of Pennsylvania, do hereby proclaim September 27–October 3, 1970, as Prisoner of War Week in Pennsylvania, and urge all citizens to cooperate in this worthy effort to persuade Hanoi that

these men are remembered by their fellow citizens. Furthermore, I urge that special prayers be offered in all churches and synagogues during this week in behalf of these brave men and their families.

Given under my hand and the Great Seal of the State, at the City of Harrisburg, this third day of September, in the year of our Lord one thousand nine hundred and seventy, and of the Commonwealth the one hundred and ninety-fifth.

RAYMOND P. SHAFER,
Governor.

HOUSE OF REPRESENTATIVES—Monday, September 28, 1970

The House met at 12 o'clock noon.

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

We are laborers together with God. 1 Corinthians 3: 9.

O Lord, our God, we thank Thee for the gift of another day and pray that through all its hours we may live with Thee as we labor for the life of this land of liberty. Strengthen us that we may stand steady in this shaken world and amid constant change keep our faith firm with a growing trust and a deepening confidence.

Deliver us from petty concerns about ourselves, place us in the center of great needs, and open our hearts to all that we may share the glory of our human endeavors and the goal of our human energies. Reveal the heights above us that we may be mindful of Thy presence in the common routine of daily living and so bless us that we may work with integrity for the good of our fellow men. Let the gentle power of the Great Spirit be our strength in all we think and say and do; for Thine is the kingdom and the power and the glory forever. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, September 24, 1970, was read and approved.

MESSAGE FROM THE PRESIDENT

A message in writing from the President of the United States was communicated to the House by Mr. Leonard, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and a joint resolution of the House of the following titles:

On September 22, 1970:

H.R. 18725. An act to establish a Commission on the Organization of the Government of the District of Columbia and to provide for a Delegate to the House of Representatives from the District of Columbia.

On September 23, 1970:

H.R. 16539. An act to amend the National Aeronautics and Space Act of 1958 to provide that the Secretary of Transportation shall be a member of the National Aeronautics and Space Council.

On September 25, 1970:

H.R. 11060. An act for the relief of Victor L. Ashley;

H.R. 16968. An act to increase the contribution by the Federal Government to the cost of health benefits insurance, and for other purposes;

CXVI—2132—Part 25

H.R. 17613. An act to provide for the designation of the Veterans' Administration facility at Bonham, Tex.; and

H.J. Res. 1247. Joint resolution to amend section 19(e) of the Securities Exchange Act of 1934.

MESSAGE FROM THE SENATE

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

H.J. Res. 1366. Joint resolution to provide for the temporary extension of the Federal Housing Administration's insurance authority.

The message also announced that the Senate had passed with amendments in which the concurrence of the House is requested, bills and a joint resolution of the House of the following titles:

H.R. 370. An act to amend chapter 39 of title 39, United States Code, to increase the amount allowed for the purchase of specially equipped automobiles for disabled veterans, and to extend benefits under such chapter to certain persons on active duty;

H.R. 12807. An act to amend the Act of February 11, 1903, commonly known as the Expediting Act, and for other purposes;

H.R. 16710. An act to amend chapter 37 of title 38, United States Code, to remove the time limitation on the use of entitlement to loan benefits, to authorize guaranteed and direct loans for the purchase of mobile homes, to authorize direct loans for certain disabled veterans, and for other purposes; and

H.J. Res. 236. Joint resolution authorizing and requesting the President of the United States to issue a proclamation designating the week of August 1 through August 7 as "National Clown Week."

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

S. 708. An act for the relief of Lawrence J. Nunes;

S. 3657. An act to amend chapters 31, 34, 35, and 36 of title 38, United States Code, in order to make improvements in the vocational rehabilitation and educational programs under such chapters; to authorize an advance initial payment and prepayment of the educational assistance allowance to eligible veterans and persons pursuing a program of education under chapters 34 and 35 of such title; to establish a work-study program and work-study additional educational assistance allowance for certain eligible veterans; and for other purposes;

S. 3785. An act to amend title 38, United States Code, to authorize educational assist-

ance to wives and children, and home loan benefits to wives of members of the Armed Forces who are missing in action, captured by a hostile force, or interned by a foreign government or power;

S. 4368. An act to extend and amend laws relating to housing and urban development, and for other purposes;

S.J. Res. 236. Joint resolution authorizing the preparation and printing of a revised edition of the Constitution of the United States of America—Analysis and Interpretation, of decennial revised editions thereof, and of biennial cumulative supplements to such revised editions; and

S. Con. Res. 81. Concurrent resolution authorizing the printing of additional copies of Senate hearings on Copyright Law Revision (S. 591, Ninetieth Congress).

PRESIDENT'S COMMISSION ON CAMPUS VIOLENCE

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

Mr. MONTGOMERY. Mr. Speaker, this past weekend the people of America were exposed to the report of the President's Commission on Campus Violence. I have read the summary and analyses of the report by various columnists. I also heard the report discussed by three of the Commission members on national television yesterday.

Mr. Speaker, this report is about as useful as a fur coat on the equator. It appears to be a 300-page plus example of mediocrity and whitewash. There is no telling how much of the taxpayers' money was spent for this Commission to run around the country for 3 months to become so-called experts on campus violence. Judging from public statements made by some of the Commission members, I would say they had already reached their final conclusions the day they were appointed.

I hope President Nixon will accord the Commission report its proper status by placing it in file 13.

ANOTHER CUBAN CRISIS

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

Mr. SIKES. Mr. Speaker, another crisis which may be just as ominous as the one involving Russian missiles has now been uncovered. The development of a naval base in Cuba, which is intended as an operating facility for Rus-

sian submarines, requires immediate and forceful action by the U.S. Government.

Missiles are dangerous, but so are submarines, and submarines can escape scrutiny and can be a threat for long periods to a much broader segment of the United States. Submarines are equally a threat to surface shipping and to our own submarine fleet. We learned during World War II that submarine bases are extremely difficult to knock out. From every standpoint we are confronted with a dangerous situation which America dares not ignore. It is time to insist upon the strongest protests from the U.S. Government and we should make it clear that we are prepared to take sterner measures if they are required.

We have known about the potential for the development of a submarine base in Cuba for years. Undoubtedly the Russians have bided their time and they now feel that the agitation in this country for peace at any price in Southeast Asia will also cause our Government to mute vigorous protests against the Russian action in Cuba. This must not be the case. If a Russian submarine base right under our nose in the Western Hemisphere becomes an actuality, the Russians will have accomplished more to isolate the United States defensively and diplomatically than by any other single action of the decade.

THE PITTSBURGH PIRATES CLINCH EASTERN DIVISION CHAMPIONSHIP

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

Mr. MOORHEAD. Mr. Speaker, over this past weekend an event of great national importance took place in the 14th Congressional District. The Pittsburgh Pirates, playing with great skill and courage under the leadership of Manager Danny Murtaugh in their new Three Rivers Stadium, clinched the Eastern Division championship in the National Baseball League. Ten years ago, under the same leadership, the Pirates became the world champions, and I am confident that they are going to repeat that this year. I am sure that the gentleman from North Carolina (Mr. MIZELL), a great member of that 1960 team, joins me in saying to the 1970 team—"Beat 'em Bucs."

WHO IS SITTING ON CRIME BILLS?

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

Mr. DEVINE. Mr. Speaker, when is the majority party going to show the same concern about killings in America that they are showing about battle deaths in Vietnam? I note that the Democrats are busy participating in all kinds of rallies to end the war—but at the same time they are sitting on President Nixon's anticrime package that would help end the killing on America's streets.

Last week, there were 52 casualties in the war in Vietnam. An average of 280 murders are committed in the United States each week—some 14,590 during 1969—with FBI statistics indicating that crime is continuing to increase. The American people deserve an all-out war on crime here at home to make our streets safer, to end the fear and terror that stalks the land.

President Nixon is winding down the war in Vietnam. He has sought to wind up the war on crime here at home. But, despite a recent flurry of activity due to members of our party and the President putting the spotlight on our horrendous crime problem, the major portion of the President's anticrime legislation has not been acted on over the past year and one-half while murder, rape, robbery, and assaults continue in our streets.

I note that the leadership of the majority party has announced a lameduck session and a slowdown on legislation—if that is possible. Perhaps the 91st will go down in history as the zombie Congress—meanwhile, crime marches on.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER laid before the House the following communication from the Clerk of the House of Representatives:

WASHINGTON, D.C.,
September 28, 1970.

The Honorable the SPEAKER,
U.S. House of Representatives.

DEAR SIR: I have the honor to transmit herewith a sealed envelope from the White House, received in the Clerk's Office at 12:05 p.m. on Friday, September 25, 1970, said to contain a message from the President wherein he transmits to the Congress the second annual report of the Radiation Control for Health and Safety Act of 1968 (P.L. 90-602).

With kind regards, I am,
Sincerely,

W. PAT JENNINGS,
Clerk, U.S. House of Representatives.

SECOND ANNUAL REPORT OF RADIATION CONTROL FOR HEALTH AND SAFETY ACT OF 1968—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-390)

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 Interstate and Foreign Commerce and ordered to be printed:

To the Congress of the United States:

In accordance with Section 360D of the Radiation Control for Health and Safety Act of 1968 (Public Law 90-602), I am herewith transmitting to you the second annual report on the administration of this Act.

This report was prepared by the Environmental Health Service of the Department of Health, Education, and Welfare.

RICHARD NIXON,
THE WHITE HOUSE, September 25, 1970.

REPORT ON SALARIES OF OFFICERS AND EMPLOYEES OF ORGANIZATIONS FUNDED UNDER ECONOMIC OPPORTUNITY ACT—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-391)

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 Education and Labor and ordered to be printed:

To the Congress of the United States:

I hereby submit the report on salaries of officers and employees of organizations funded under the Economic Opportunity Act that is required by Section 610-1(b) of the Economic Opportunity Act as amended in 1966. The report was prepared by the Office of Economic Opportunity and covers the fiscal year that ended on June 30, 1970.

RICHARD NIXON,
THE WHITE HOUSE, September 28, 1970.

CONFERENCE REPORT ON S. 2264, COMMUNICABLE DISEASE CONTROL AMENDMENTS OF 1970

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the bill (S. 2264) to amend the Public Health Service Act to provide authorization for grants for communicable disease control and vaccination assistance, 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 West Virginia?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of September 23, 1970.)

The SPEAKER. The gentleman from West Virginia is recognized for 1 hour.

CALL OF THE HOUSE

Mr. HALL. 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. 316]

Adair	Bolling	Chisholm
Adams	Bow	Clark
Anderson,	Brasco	Clay
Calif.	Bray	Conyers
Andrews,	Brock	Cramer
N. Dak.	Brooks	Crane
Aspinall	Buchanan	Daddario
Beall, Md.	Burton, Utah	Dawson
Betts	Bush	de la Garza
Blaggi	Button	Dennis
Blester	Cabell	Dent
Blackburn	Casey	Diggs
Blatnik	Cederberg	Dowdy
Boland	Celler	Dulski

Edwards, La.	Leggett	Rees
Eilberg	Long, La.	Reid, N.Y.
Esch	Lowenstein	Reifel
Farbstein	McCarthy	Roe
Feighan	McClary	Rosenthal
Fish	McClure	Roudebush
Fisher	McKneally	Rousselot
Ford	Macdonald,	Roybal
William D.	Mass.	St Germain
Foreman	MacGregor	Sandman
Friedel	Mailliard	Scheuer
Fulton, Tenn.	Martin	Shibley
Gallagher	Mathias	Snyder
Gettys	Meeds	Stephens
Gilbert	Melcher	Stokes
Gray	Meskill	Stratton
Green, Pa.	Michel	Stubblefield
Griffin	Miller, Calif.	Symington
Gubser	Minish	Taft
Hagan	Minshall	Talcott
Halpern	Mize	Teague, Calif.
Hansen, Wash.	Mollohan	Thompson, Ga.
Hastings	Monagan	Thompson, N.J.
Hathaway	Moss	Tunney
Hebert	Murphy, N.Y.	Udall
Heckler, Mass.	Nedzi	Watson
Helstoski	Nix	Watts
Henderson	Olsen	Weicker
Hungate	Ottinger	Whitehurst
Karh	Pepper	Whitten
Kazen	Pirnie	Wilson, Bob
Keith	Podell	Wold
Kleppe	Powell	Wright
Landgrebe	Pryor, Ark.	Zablocki
Landrum	Purcell	Zwach

The SPEAKER. On this rollcall 286 Members have answered to their names, a quorum.

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

APPOINTMENT OF CONFEREES ON H.R. 6778, AMENDING BANK HOLDING COMPANY ACT OF 1956

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 6778) to amend the Bank Holding Company Act of 1956, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, may I ask the gentleman from Texas if this bill has anything to do with secret bank accounts in foreign countries, legislation about which has been approved by the House?

Mr. PATMAN. No, but we have the same request for it after this request.

Mr. GROSS. Mr. Speaker, I withdraw my reservation of objection, and I thank the gentleman from Texas.

The SPEAKER. Is there objection to the request of the gentleman from Texas? The Chair hears none, and appoints the following conferees: Messrs. PATMAN and BARRETT, Mrs. SULLIVAN, and Messrs. REUSS, WIDNALL, JOHNSON of Pennsylvania, and STANTON.

REQUEST FOR APPOINTMENT OF CONFEREES ON H.R. 15073, AMENDING FEDERAL DEPOSIT INSURANCE ACT

Mr. PATMAN. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 15073) to amend the Federal Deposit Insurance Act to require insured banks to maintain certain records, to require that certain transactions in U.S. currency be re-

ported to the Department of the Treasury, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and request a conference with the Senate thereon.

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

Mr. GROSS. Mr. Speaker, reserving the right to object, let me ask the gentleman if this bill carries two or three amendments added by the Senate that are totally ungermane?

Mr. PATMAN. Mr. Speaker, I am not familiar with the amendments, but I understand there were three amendments attached to the bill.

Mr. GROSS. Mr. Speaker, I object.

Mr. PATMAN. Mr. Speaker, will the gentleman from Iowa withhold the objection for a moment?

Mr. GROSS. Mr. Speaker, I will withhold the objection.

Mr. PATMAN. Mr. Speaker, may I suggest that the three amendments, although they are not related, the Senate has the right under the rules to attach them, under a rule which I do not necessarily approve of, including the urban mass transit bill and two other bills.

Of course, the House position always has been to respect the rules and to not recognize the right of the other body to attach unrelated matters. This will have to be ironed out in conference.

Mr. GROSS. In the absence of a rule to the contrary, the other body has every right to do anything it wants with a bill sent to it by the House. Under the rules of the House, we must deal with germane amendments.

I am left no other recourse but to make it as difficult as possible, so long as these three nongermane amendments are attached to this bill, to put it through the House. It is high time the House spent some time in an effort to head off the other body from sending bills here with not one but a multiplicity of ungermane amendments.

Mr. Speaker, I do object.

The SPEAKER. Objection is heard.

CONFERENCE REPORT ON S. 2264, COMMUNICABLE DISEASE CONTROL AMENDMENTS OF 1970

The SPEAKER. The gentleman from West Virginia (Mr. STAGGERS), is recognized for 1 hour on the conference report.

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

This conference report covers the Communicable Disease Control Amendments of 1970, the bill which passed the House by a rollcall vote of 312 to 1 on September 10.

We went to conference with the Senate, and after some consultation with the Senate they finally agreed to accept the House version of the bill in every respect, so we bring back to the House the exact bill which was passed by the House on September 10 by an overwhelming majority.

I do not believe I need to explain the bill, for it was explained very well at that time. The vote showed that it cer-

tainly met with the approval of the Members of the House.

At this time, Mr. Speaker, I want to pay tribute to a group of men who have worked hard for the betterment of the health of America—the members of our Subcommittee on Public Health and Welfare.

I refer particularly to the gentleman from Oklahoma (Mr. JARMAN), who is the chairman of the Subcommittee on Public Health and Welfare; and also to the gentleman from Florida (Mr. ROGERS); to the gentleman from Virginia (Mr. SATTERFIELD); to the gentleman from Maine (Mr. KYROS); to the gentleman from North Carolina (Mr. PREYER); to the gentleman from Minnesota (Mr. NELSEN); to the gentleman from Kentucky (Mr. CARTER); to the gentleman from Kansas (Mr. SKUBITZ); and to the gentleman from New York (Mr. HASTINGS).

These gentlemen have worked as hard as I have ever seen any subcommittee work in the Congress of the United States during my 22 years as a Member of this House. They have been in almost continuous session day after day working on health bills which affect all America. They have brought many good and great bills to the floor for the betterment of the health of the people of this land.

Mr. Speaker, during this Congress this subcommittee has held hearings covering hundreds of bills. Among the measures which they have considered which have passed the House are the drug legislation (H.R. 18583) which just passed the House last week, on which they held 11 days of hearings and 37 executive sessions morning, afternoon, and night. We have in conference now six measures from that subcommittee, S. 3586 relating to the training of allied health professionals: H.R. 18110 covering comprehensive health planning; H.R. 17570, the heart disease, cancer, stroke, and kidney disease amendments; and S. 2846, developmental disabilities services and facilities; H.R. 17255, the clear air amendment of 1970, as well as S. 2005, the Resource Recovery Act of 1970.

In addition, they have reported numerous other measures to the House, such as H.R. 10138, Public Health Service commissioned officer retirement benefits; H.R. 11102, the Hill-Burton Act extension; H.R. 11702, providing assistance to medical libraries; H.R. 14086, the community mental health centers amendments; H.R. 13448 providing for exchange of the Public Health Service Hospital at New Orleans; H.R. 15961, licensing of biological products; H.R. 14733, extending the agricultural migrant workers health programs; and H.R. 14790, providing for formula grants to schools of public health.

The subcommittee has also held oversight hearings covering the Food and Drug Administration; nutrition problems; and radiation safety standards. Their record is one of which each member of that subcommittee can justly be proud.

I should like to say that I, for one, appreciate the work they have done, and

I am sure every Member of the House does also. I am certain that every American would be grateful to them, if they knew of the work they had done. The bipartisan, or I should rather say non-partisan, way it has worked has also been outstanding. On the drug bill (H.R. 18583), the members disagreed on only one item—no-knock. Otherwise, every bill reported from that subcommittee has been unanimously reported, with the unanimous support of the subcommittee members for every provision in the bill.

I just want to pay tribute to this subcommittee for the great work it has done.

Mr. Speaker, to return to the conference report before us, this is the same bill as the one which passed the House on September 10. I recommend that the conference report be agreed to by the House.

Mr. Speaker, I yield such time as he may consume to the gentleman from Illinois (Mr. SPRINGER).

Mr. SPRINGER. Mr. Speaker, the conference report which comes back today for a vote is the House version of the bill. There have been no changes in the conference at all. For those who have asked me about this, I want to explain that this is the House version which comes back from conference, and it is the House bill.

The Senate has not asked for nor imposed any amendments on the bill, and for that reason you have before you the same bill which you voted on in August.

Mr. PRICE of Illinois. Mr. Speaker, communicable disease remains a problem although it is not beyond our resources to control. We have the medical knowledge to eliminate many of the contagious diseases that still plague the health of the Nation. It is our responsibility to put this knowledge to use by approving the pending bill authorizing a 3-year program of project grants to State and local governments.

History has shown the dramatic role Government funds can play in combatting disease. Between 1955 and 1957, Government assistance radically reduced the incidence of polio, but after the cut-back in Federal aid in 1957, polio epidemics once again occurred. This clearly evidences the value of large-scale Government financing in this area.

I find it quite distressing that while both measles and German measles can be prevented with the use of a vaccine, the number of cases of measles is increasing yearly and a major German measles epidemic has been predicted for 1970-71. Even more distressing, however, is the fact that the incidence of venereal disease has been steadily increasing for years, and as yet there are no grant funds specifically for the control of gonorrhea.

It is evident, therefore, that control programs in many areas have recently been underfunded or even nonexistent. There can be no doubt then as to the value of this legislation. As stated, the purpose of the bill before us is to authorize appropriations for a communicable disease control program designed so as to contribute to national protection against diseases that are susceptible to vaccination or to control programs. Com-

municable diseases are a needless threat. This bill, if passed, will provide the means for their control. I, therefore, urge the adoption of H.R. 11913.

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

The previous question was ordered.

The SPEAKER. The question is on the conference report.

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

Mr. ROGERS of Florida. 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, 292, nays 2, not voting 135, as follows:

[Roll No. 317]

YEAS—292

Abbutt	Dellenback	Hutchinson
Abernethy	Denney	Ichord
Addabbo	Derwinski	Jacobs
Albert	Devine	Jarman
Alexander	Dickinson	Johnson, Calif.
Anderson, Ill.	Dingell	Jonas
Anderson, Tenn.	Donohue	Jones, Ala.
Andrews, Ala.	Dorn	Jones, N.C.
Annunzio	Downing	Jones, Tenn.
Arends	Duncan	Kastenmeier
Ashbrook	Dwyer	Kee
Ashley	Eckhardt	Keith
Ayres	Edmondson	King
Baring	Edwards, Ala.	Kluczynski
Barrett	Edwards, Calif.	Koch
Bell, Calif.	Erlenborn	Kuykendall
Bennett	Eshleman	Kyl
Bevill	Evans, Colo.	Kyros
Blester	Evins, Tenn.	Langen
Bingham	Fallon	Latta
Blanton	Fascell	Lennon
Boggs	Findley	Lloyd
Brademas	Flood	Long, Md.
Brinkley	Flowers	Lujan
Broomfield	Flynt	Lukens
Brotzman	Foley	McCloskey
Brown, Calif.	Ford, Gerald R.	McClulloch
Brown, Mich.	Fountain	McDade
Brown, Ohio	Fraser	McDonald,
Broyhill, N.C.	Frelinghuysen	Mich.
Broyhill, Va.	Frey	McEwen
Burke, Fla.	Fulton, Pa.	McFall
Burke, Mass.	Fuqua	McMillan
Burleson, Tex.	Garmatz	Macdonald,
Burlison, Mo.	Gaydos	Mass.
Burton, Calif.	Gialmo	Madden
Byrne, Pa.	Gibbons	Mahon
Byrnes, Wis.	Gilbert	Mailliard
Caffery	Goldwater	Mann
Camp	Gonzalez	Marsh
Carey	Gooding	Matsunaga
Carter	Green, Oreg.	May
Chamberlain	Griffiths	Mayne
Chappell	Gross	Mikva
Clancy	Grover	Miller, Ohio
Clark	Gude	Mills
Clausen,	Haley	Mink
Don H.	Hall	Mizell
Clawson, Del.	Hamilton	Montgomery
Clay	Hammer-	Moorhead
Cleveland	schmidt	Morgan
Cohelan	Hanley	Morse
Collier	Hanna	Morton
Collins	Hansen, Idaho	Mosher
Colmer	Harrington	Murphy, Ill.
Conable	Harsha	Myers
Conte	Harvey	Natcher
Corbett	Hawkins	Nelsen
Corman	Hays	Nichols
Coughlin	Hechler, W. Va.	Obey
Cowder	Heckler, Mass.	O'Konski
Culver	Hicks	O'Hara
Cunningham	Hogan	O'Neal, Ga.
Daniel, Va.	Holifield	O'Neill, Mass.
Daniels, N.J.	Horton	Passman
Davis, Ga.	Hosmer	Patman
Davis, Wis.	Howard	Patten
Delaney	Hull	Pelly
	Hunt	Perkins

Pettis	Ruppe	Tierman
Philbin	Ruth	Ullman
Pickle	Ryan	Van Deerlin
Pike	Satterfield	Vander Jagt
Poage	Saylor	Vank
Poff	Scherle	Vigorito
Pollock	Schmitz	Waggonner
Preyer, N.C.	Schneebell	Waldie
Price, Ill.	Schwengel	Wampler
Price, Tex.	Scott	Whalen
Pryor, Ark.	Sebelius	Whalley
Quie	Shriver	White
Quillen	Sikes	Whitehurst
Rallsback	Sisk	Whitten
Randall	Skubitz	Widnall
Rarick	Slack	Wiggins
Reid, Ill.	Smith, Calif.	Williams
Reuss	Smith, Iowa	Wilson,
Rhodes	Smith, N.Y.	Charles H.
Riegle	Springer	Winn
Rivers	Stafford	Wolf
Roberts	Staggers	Wyatt
Robison	Stanton	Wydler
Rodino	Steed	Wylie
Rogers, Colo.	Steiger, Ariz.	Wyman
Rogers, Fla.	Steiger, Wis.	Yates
Rooney, N.Y.	Stuckey	Yatron
Rooney, Pa.	Sullivan	Young
Rostenkowski	Taylor	Zion
Roth	Teague, Tex.	
Roybal	Thomson, Wis.	

NAYS—2

Belcher

Berry

NOT VOTING—135

Adair	Ford,	Monagan
Adams	William D.	Moss
Anderson,	Foreman	Murphy, N.Y.
Calif.	Friedel	Nedzi
Andrews,	Fulton, Tenn.	Nix
N. Dak.	Gallifanakis	Olsen
Aspinall	Gallagher	Ottinger
Beall, Md.	Gettys	Pepper
Betts	Gray	Pirnie
Biaggi	Green, Pa.	Podell
Blackburn	Griffin	Powell
Blatnik	Gubser	Pucinski
Boland	Hagan	Purcell
Bolling	Halpern	Rees
Bow	Hansen, Wash.	Reid, N.Y.
Brasco	Hastings	Reifel
Bray	Hathaway	Roe
Brook	Hébert	Rosenthal
Brooks	Helstoski	Roudebush
Buchanan	Henderson	Rousselot
Burton, Utah	Hungate	St Germain
Bush	Johnson, Pa.	Standman
Button	Karth	Schadeberg
Cabell	Kazen	Scheuer
Casey	Kleppe	Shipley
Cederberg	Landgrebe	Snyder
Celler	Landrum	Stephens
Chisholm	Leggett	Stokes
Conyers	Long, La.	Stratton
Cramer	Lowenstein	Stubblefield
Crane	McCarthy	Symington
Daddario	McClary	Taft
Dawson	McClure	Talcott
de la Garza	McKneally	Teague, Calif.
Dennis	MacGregor	Thompson, Ga.
Dent	Martin	Thompson, N.J.
Diggs	Mathias	Tunney
Dowdy	Meeds	Udall
Dulski	Melcher	Watson
Edwards, La.	Meskill	Watts
Ellberg	Michel	Weicker
Esch	Miller, Calif.	Wilson, Bob
Farbstein	Minish	Wold
Feighan	Minshall	Wright
Fish	Mize	Zablocki
Fisher	Mollohan	Zwach

So the conference report was agreed to. The Clerk announced the following pairs:

Mr. Thompson of New Jersey with Mr. Kleppe.

Mr. Brooks with Mr. Bush.
Mr. Hébert with Mr. Watson.
Mr. Ellberg with Mr. McClary.
Mr. Dowdy with Mr. Crane.
Mr. Daddario with Mr. Meskill.
Mr. Monagan with Mr. Pirnie.
Mr. Ottinger with Mr. MacGregor.
Mr. Pepper with Mr. Reifel.
Mr. St Germain with Mr. Cramer.
Mr. Blatnik with Mr. Wold.
Mr. Brasco with Mr. McKneally.
Mr. Karth with Mr. Taft.
Mr. Long of Louisiana with Mr. Roudebush.

Mr. Miller of California with Mr. Gubser.
 Mr. Olsen with Mr. Johnson of Pennsylvania.
 Mr. Galifianakis with Mr. Brock.
 Mr. Edwards of Louisiana with Mr. Foreman.
 Mr. Cabell with Mr. Zwach.
 Mr. Casey with Mr. Rousselot.
 Mr. Aspinall with Mr. Weicher.
 Mr. Murphy of New York with Mr. Mize.
 Mr. Nedzi with Mr. Minshall.
 Mr. Purcell with Mr. Blackburn.
 Mr. Griffin with Mr. Esch.
 Mr. Fulton of Tennessee with Mr. Teague of California.
 Mr. Fisher with Mr. Snyder.
 Mr. Tunney with Mr. Conyers.
 Mr. McCarthy with Mr. Powell.
 Mr. Lowenstein with Mr. Diggs.
 Mr. Pucinski with Mr. Nix.
 Mr. Rees with Mrs. Chisholm.
 Mr. Anderson of California with Bob Wilson.
 Mr. Adams with Mr. Burton of Utah.
 Mr. Celler with Mr. Betts.
 Mr. Hagan with Mr. Dennis.
 Mr. Dent with Mr. Adair.
 Mr. Friedel with Mr. Beall of Maryland.
 Mr. Stubblefield with Mr. Andrews of North Dakota.
 Mr. Green of Pennsylvania with Mr. Fish.
 Mr. Hathaway with Mr. Bow.
 Mr. Gettys with Mr. Bray.
 Mr. Gallagher with Mr. Sandman.
 Mr. Moss with Mr. Reid of New York.
 Mr. Minish with Mr. Halpern.
 Mr. Henderson with Mr. Thompson of Georgia.
 Mr. Watts with Mr. Michel.
 Mr. Wright with Mr. Landgrebe.
 Mr. Zablocki with Mr. Buchanan.
 Mr. Leggett with Mr. Talcott.
 Mr. Biaggi with Mr. Martin of Nebraska.
 Mr. Boland with Mr. Schadeberg.
 Mr. Helstoski with Mr. Hastings.
 Mr. Dulski with Mr. Mathias.
 Mr. Rosenthal with Mr. Stokes.
 Mr. Gray with Mr. Cederberg.
 Mr. Stephens with Mr. McClure.
 Mr. Stratton with Mr. Button.
 Mrs. Hansen of Washington with Mr. Symington.
 Mr. Melcher with Mr. Meeds.
 Mr. Udall with Mr. Podell.
 Mr. Roe with Mr. Shipley.
 Mr. William D. Ford with Mr. Feighan.
 Mr. Mollohan with Mr. de la Garza.
 Mr. Hungate with Mr. Kazen.
 Mr. Farbstain with Mr. Dawson.
 Mr. Landrum with Mr. Scheuer.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON S. 3558, PUBLIC BROADCASTING FINANCING ACT OF 1970

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the bill (S. 3558) to amend the Communications Act of 1934 to provide continued financing for the Corporation for Public Broadcasting, 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 West Virginia?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of September 23, 1970.)

Mr. STAGGERS (during the reading). Mr. Speaker, I ask unanimous consent that the statement of the managers be considered as read.

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

There was no objection.

The SPEAKER. The gentleman from West Virginia is recognized for 1 hour.

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

Mr. Speaker, under the conference report on S. 3558 appropriations are authorized for the Corporation for Public Broadcasting for fiscal years 1971 and 1972. For each year, an outright appropriation of not more than \$30 million is authorized. Not more than \$5 million is additionally authorized each year to match grants, donations, bequests, and other contributions to the Corporation from non-Federal sources.

The issues between the two Houses were simple and clear cut, so I shall not take much time discussing them.

The Senate passed a 3-year open end authorization for the Corporation and added a provision requiring public broadcast stations receiving grants from the Corporation to keep records of their programs involving controversial issues of public importance. I should note that the administration requested the 3-year open end authorization for the Corporation.

We on the committee have been disturbed about the delay in getting up a permanent plan for financing the Corporation. We also have a policy against open end authorizations. So we cut the authorization down to 1 year, fiscal year 1971, so that we could maintain closer oversight of the progress in getting up a permanent financing plan for the Corporation. Our appropriation ceiling for 1971 has been adopted for both years covered by the conference report.

The provisions in the Senate bill requiring recordings and other records were not the subject of hearings in either House. Those provisions are not included in the conference report. The conferees agreed however, that there should be hearings in the next session on legislation requiring all broadcast stations to keep recordings of their programs involving controversial issues of public importance. I am having such legislation prepared for introduction.

Mr. Speaker, this is a good conference report and I trust that it will be adopted by the House.

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

Mr. STAGGERS. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. I regret, I must say to the gentleman, that the House capitulated to the other body on the extension of 1 year. Quite a point was made, as I recall, when the bill was before the House, that the House committee would review this program next year. To extend it another year will not be helpful in that respect.

In other words, the adoption of this conference report means it will go on for an additional year, with perhaps not too much scrutiny. I regret to see that the additional 1-year extension was given.

Mr. STAGGERS. If the gentleman will

permit me to explain, we are well into the present fiscal year and if the authorization were not for 2 fiscal years we would be right back working on another authorization for CPB at the start of next year instead of looking into the question of a permanent plan for financing the Corporation. This provision will give us a little time.

We were very adamant in refusing to go over to 3 years. This will give the administration a little more time to come up with its suggestions for a permanent plan for financing the Corporation. We did close the open-end authorization.

We believe the conference report is a good compromise, and about the best we could do with the Senate under the circumstances.

Mr. BROYHILL of North Carolina. Mr. Speaker, will the gentleman yield?

Mr. STAGGERS. I yield such time as he may consume to the gentleman from North Carolina (Mr. BROYHILL).

Mr. BROYHILL of North Carolina. I thank the gentleman for yielding.

Mr. Speaker, I want to reiterate what the chairman already has said, that this is essentially the same bill that passed the House of Representatives recently.

The other body, of course, was insistent on having 3 years, and they did make the point to us that we would have to be right back in here in January or February to hold hearings on the program again, and that another year would give us some more time. For that reason we did compromise on this particular point.

This is a good program and I believe we should continue it. We will soon be looking into this program again. We will be holding hearings on it either late next year or early the following year. I am sure all the members of the subcommittee and of the committee will be looking over the program, and talking to those who are responsible for it in the administration. We will be having conferences and talking to those who have the responsibility for running the program; that is, the Public Broadcasting Corporation.

We are going to be keeping a very close eye on the program as a whole.

I urge my colleagues to support the conference report.

Mr. STAGGERS. I thank the gentleman from North Carolina (Mr. BROYHILL). He has been very helpful, as were all of the conferees, in working out the compromise. Particularly the chairman of the Subcommittee on Communication and Power of our committee, the gentleman from Massachusetts (Mr. MACDONALD).

At this time, Mr. Speaker, I would like to compliment that subcommittee. They have worked exceedingly hard on many bills during this Congress under their very able chairman.

They are: the gentleman from Massachusetts (Mr. MACDONALD), the chairman of the subcommittee; the gentleman from California (Mr. VAN DEERLIN); the gentleman from Pennsylvania (Mr. ROONEY); the gentleman from New York (Mr. OTTINGER); the gentleman from Rhode Island (Mr. TIERNAN); the gentleman from North Carolina (Mr. BROYHILL); the gentleman from Michigan (Mr. HARVEY); the gentleman from Colo-

rado (Mr. BROTZMAN); and the gentleman from Ohio (Mr. BROWN).

I compliment each of those gentlemen for the job he has done on this subcommittee. It has been hard work and time-consuming, but they have worked right along without pause or complaint. I want to give them my thanks, and I think each Member of the House owes them a vote of thanks, also, for the work they have done.

At this time, Mr. Speaker, I yield to the chairman of the subcommittee, the gentleman from Massachusetts (Mr. MACDONALD).

Mr. MACDONALD of Massachusetts. Mr. Speaker, I thank the chairman for the very gracious remarks he has made concerning our subcommittee.

Without taking much more time of the body, I would just like to say that because we receded a little bit on the time for the financing of this program, the permanent financing aspect of the bill, only means that the subcommittee, and I am sure the full committee, will be very diligent in overseeing that a permanent financing program that the gentleman from Iowa (Mr. Gross) suggested should be undertaken. The subcommittee feels that the gentleman is very accurate in his statement. The full committee also feels so. We compromised only because there would be a difference of maybe 6 or 7 months before the program came up again. I can assure the gentleman from Iowa that we are going to be very diligent in seeing to it that a reasonable type of permanent financing is advanced both by the Corporation and by the administration.

The conference report before us today, on the bill S. 3558, extension of financing for the Corporation for Public Broadcasting, will permit continuation of the Corporation's successful program of aid to local educational broadcasting systems.

The Corporation was established by the Public Broadcasting Act of 1967, and under the initial concept operating funds for the first years of operations have been provided by direct appropriations in slowly increasing amounts. The initial concept also called for the development of a system of permanent financing that would provide Federal funds without dependence on the annual appropriation process. This remains the intent of the Committee on Interstate and Foreign Commerce, the Congress, and the other governmental bodies involved in the creation and support of the public broadcasting system.

The objective of a long-range financing plan is to provide insulation from direct or indirect political pressures, however well intended, that might compromise the Corporation's programing in the minds of viewers and listeners.

But it has been recognized that development of permanent financing is a complex and difficult task, requiring a high degree of coordination among the executive and legislative branches and the public broadcasting community. Accordingly, in order to yield immediate benefits from the Corporation, to develop expertise in public broadcasting opera-

tion, and to gain better insights through practical experience on the volume of funds that will be needed in the future, direct appropriations have been necessary.

The present legislation extends the authorization for the Corporation through the next fiscal year, 1972. The legislation also provides for appropriations in the current fiscal year, 1971. The House, in consideration of the committee bill, H.R. 17982, approved a \$30 million authorization for fiscal 1971. In addition, another \$5 million was authorized for appropriation of matching funds, to be dependent on amounts received as contributions to the Corporation from non-Federal sources.

The Senate had passed authorizing legislation with no fixed amounts for the next 3 fiscal years. The Senate also approved an amendment requiring educational stations to keep tapes of all public-issue programing for later inspection by interested parties. For my own part, I have no objection to broadcasting stations keeping records of broadcast material. But it was noted that neither body had held hearings on the proposal, and that, as written, such a law would single out noncommercial stations while placing no similar obligation on commercial stations. Also, the cost burden of such a step, which would fall most heavily on low-budget operations, would most probably be very high.

The conference managers agreed to eliminate the Senate amendment on keeping recordings, but also agreed that hearings on a measure that would apply across the board to all stations should be held next session.

The Senate managers pointed out that the provision of only 1 year's authorization as voted by the House would be followed in a matter of months by the necessity of considering similar legislation for the coming fiscal year. Accordingly, they urged that a second year's authorization be added. The House conferees agreed to the request, which is set at the same level as the authorization for the present fiscal year—that is \$30 million for direct appropriations and \$5 million in matching appropriations.

Both sides agreed that the extension of the authorization to the second year did not diminish in any way the insistence on the part of the House committee that work on permanent financing should go forward with all possible speed. Limiting the authorization to 1 year was designed as a means of insuring very close committee oversight over the development of permanent financing. The addition of a second-year authorization, because the appropriations process for that year is already almost upon us, will not in any way dilute the committee's insistence that work on permanent financing must be pressed vigorously.

In our committee report, we noted that it would probably be necessary to make further direct appropriations, even though progress was being made on long-range financing. Permanent financing will involve complex legislation that cannot be put in place overnight. In the meantime the Corporation for Public Broadcasting can continue to expand on

the successful beginning it has already achieved by means of direct appropriation funding as provided for in this conference report.

Mr. Speaker, I urge the adoption of the report.

Mr. STAGGERS. Mr. Speaker, I yield whatever time he may require to the ranking minority member, the gentleman from Illinois (Mr. SPRINGER), who has been helpful, as always, in every way.

Mr. SPRINGER. Mr. Speaker, I would like to explain that we did go over this when the bill was before the House before. The budget figure was \$22.5 million plus \$2.5 million in matching grants. There was a great deal of argument in the committee as to what should be done. Finally we had the budget people come down and they agreed to this figure of \$30 million plus \$5 million in matching grants. So what is contained in this conference report and in the original bill meets with the approval of the Bureau of the Budget.

Mr. SCHMITZ. Mr. Speaker, once again I want to state my strong opposition to this legislation. As I pointed out at the time of its original passage September 10, the stated purposes and activities of the Corporation for Public Broadcasting read like a blueprint for a Government propaganda network. Coupled with the growing restrictions by the Federal Communications Commission on the program content of private broadcasters—of which the recent FCC decision to remove station WXUR in Media, Pa., from the air for alleged violations of the "fairness doctrine" such as failing to give equal time to opponents of victory in Vietnam, is the latest and worst example—this brings us closer to outright control of the communications media by those able to influence the Federal Government in their favor.

Government broadcasting is fundamentally inimical to freedom. Every advanced totalitarian state provides for full government control of the communications media. As everyone should know by now, Federal funding means Federal control. There should be no federally funded broadcasting network. Consequently, funding for the Corporation for Public Broadcasting should be abolished, not continued.

Mr. STAGGERS. 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.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. The Chair has been informed and understands that the original papers on the next conference report have not been messaged over to the House as yet. They will be here shortly.

The Chair will recognize the gentleman from California (Mr. HOLIFIELD) in connection with the first reorganization plan, and if the papers arrive between consideration of the first and second reorganization plans, the Chair will recognize the gentleman from West Virginia at that time.

DISAPPROVING REORGANIZATION PLAN NO. 3 OF 1970—TO ESTABLISH AN ENVIRONMENTAL PROTECTION AGENCY AS AN INDEPENDENT ENTITY OF GOVERNMENT

Mr. HOLIFIELD. 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 House Resolution 1209, to disapprove Reorganization Plan No. 3; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate on the resolution may continue, not to exceed 1 hour, the time to be equally divided and controlled by the gentleman from Illinois (Mr. ERLBORN) and myself.

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

There was no objection.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Resolution 1209, with Mr. ANDREWS of Alabama in the chair.

The Clerk read the title of the resolution.

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

The CHAIRMAN. Under the unanimous-consent agreement the gentleman from California (Mr. HOLIFIELD) will be recognized for 30 minutes, and the gentleman from Illinois (Mr. ERLBORN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from California (Mr. HOLIFIELD).

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

Mr. Chairman, I want to try to explain this resolution in as brief time as possible, the President's Reorganization Plan No. 3.

Mr. Chairman, House Resolution 1209 would disapprove Reorganization Plan No. 3 of 1970 submitted to Congress by President Nixon on July 9. The plan will create an Environmental Protection Agency.

In accordance with the Reorganization Act of 1949, if a disapproval resolution is voted favorably by either the House or the Senate within 60 days, barring adjournments for more than 3 days, a reorganization plan will not go into effect. Under the rules of the House, reorganization plans and disapproval resolutions thereon are referred to the Committee on Government Operations. In this instance Reorganization Plan No. 3 was assigned to the subcommittee chaired by the gentleman from Minnesota who held extensive hearings. Subsequently, when the disapproval resolution was filed the full committee voted to report it to the House with the recommendation that the resolution not be agreed to, thereby supporting the reorganization plan. I might say this action was by a near-unanimous vote. The committee report and the printed hearings have been sent to every Member of the House.

ENVIRONMENTAL PROTECTION AGENCY

Reorganization Plan No. 3 would establish an Environmental Protection Agency as a new independent entity in the Government. It would have a status comparable to other independent units such as the Atomic Energy Commission, General Services Administration, and Veterans' Administration which are not parts of a department.

The EPA will bring together the following agencies and functions now located elsewhere in the Government:

First, the Federal Water Quality Administration, now in the Department of the Interior—you will recall we transferred this agency to Interior from HEW by reorganization plan in 1966;

Second, the National Air Pollution Control Administration, now in the Department of Health, Education, and Welfare; parts of the Environmental Control Administration—Bureaus of Solid Waste Management, Water Hygiene, and a portion of the Bureau of Radiological Health—also from HEW;

Third, the pesticides research and standard-setting program of the Food and Drug Administration, HEW;

Fourth, the pesticides registration authority of the Department of Agriculture;

Fifth, authority to perform general ecological research, from the Council on Environmental Quality; certain pesticide research authorities of the Department of the Interior;

Sixth, the environmental radiation protection standard-setting function of the Atomic Energy Commission; and

Seventh, the functions of the Federal Radiation Council.

The Environmental Protection Agency will have a budget for fiscal 1971 of approximately \$1.4 billion, mostly for water pollution efforts and over 5,600 personnel.

STATED ADVANTAGES

The President tells us the creation of the new agency will have the following advantages:

It will upgrade the effectiveness of the Federal Government's major pollution control programs.

It will provide a central focus for an evaluation of all pollution-related activities of the Government.

It will serve to upgrade the importance of environmental consideration and pollution programs within the Federal Government, and over a period of time tend to have a similar effect on program priorities within state and local governments.

It will clarify industry responsibility by providing consistent standards and a single enforcement agency.

State and local pollution control agencies will be able to look to one Federal agency for all their financial support and technical assistance.

It will insulate pollution abatement standard-setting from the promotional interests of other departments.

Since no new program or funding is proposed, I would conclude that the essence of this plan is to bring these scattered functions together under one roof for whatever benefits such coordination

will produce in the overall environmental effort.

This idea apparently originated with the President's Advisory Council on Executive Organization, headed by Roy L. Ash and other well-known businessmen. The plan was supported by most of the witnesses who appeared. It was opposed by Congressman JOHN DINGELL and reservations were expressed by a number of farm organizations who prefer that pesticide registration remain in the Department of Agriculture. Mr. DINGELL will state his objections to you during this debate.

As you will note from our report, we took cognizance of the criticisms that were made. We recognized that this was a rather small step forward in the needed coordination of our many environmental programs. Also, the distinction between the work of the new Environmental Protection Agency and the Council on Environmental Quality was not made very clear.

Furthermore, the plan does set up a superstructure of high-level, high-salaried administrators in the agency even though we hear much talk from the administration about the need for economy. The President only recently undertook to lecture the Congress about spending.

Nevertheless, the environment is a matter of great public concern now and the committee felt that this plan, even though subject to some criticism should be allowed to become law.

That concludes my explanatory statement, Mr. Chairman.

I might say that in view of the fact that we have before us a resolution of disapproval that if you are in favor of the plan your vote should be "on" on the resolution of disapproval. If you are against the plan, your vote should be "yes" on the resolution of disapproval.

The committee with almost unanimous action advises that a "no" vote be given on the resolution of disapproval.

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

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

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

Will the gentleman state how many employees will be transferred out of other agencies to this new Environmental Protection Agency?

Mr. HOLIFIELD. The estimate given to us by the administration was 5,600.

Mr. GROSS. It was 5,600?

Mr. HOLIFIELD. That is correct.

Mr. GROSS. Do I understand correctly that about 2,500 of these will come from the Department of the Interior?

Mr. HOLIFIELD. I believe that is about the breakdown. You see, we put the water and air pollution acts in the Department of the Interior, and they have many employees working on these programs. Their functions will be transferred over into this environmental agency, and along with the functions will go the personnel records of this agency pertaining to these subject matters.

Mr. GROSS. And this requires the establishment of an Environmental Protection Agency?

Mr. HOLIFIELD. The Environmental Protection Agency is established by the President's plan. This, of course, is a procedure authorized by the Reorganization Act, and he may group together related functions into a new agency. He cannot abolish functions and he cannot expand functions. That has to be done by statute. But he can move them over, like moving checkers over on a checker board into one group.

Mr. GROSS. Who is going to administer this new agency?

Mr. HOLIFIELD. That will be the President's decision, of course—and the gentleman may have some control over that—but I do not.

Mr. GROSS. Not very much, I will say to the gentleman, if any.

Mr. HOLIFIELD. The President has not announced who the Administrator will be.

Mr. GROSS. But there will be an Administrator; is that correct?

Mr. HOLIFIELD. There will be one Administrator. These are administrative positions. There will be one Administrator, a Deputy Administrator and five Assistant Administrators. The Administrator is at level No. 2 which is \$42,500 annual salary. The Deputy Administrator is at level No. 3 which is \$40,000 annually and the five Assistant Administrators are at level No. 4 which is \$38,000 each.

Mr. GROSS. That is five Assistant Administrators at \$38,000 each?

Mr. HOLIFIELD. That is right. May I say that the total, the way I figure it, is \$357,000 annually for these new administrative positions.

Mr. GROSS. There are these new administrative positions—but that does not include clerical help, office space, and so on and so forth?

Will this require a new building? They are going up so fast around here that I am led to believe that all of these new creations require new buildings.

Mr. HOLIFIELD. I cannot answer that question. The bodies that are going to be in this new agency now occupy office space so that I would not see the necessity for additional office space. They may be grouped differently in different buildings. But the increase in personnel that is contemplated at this time is, so far as I can tell, only seven people.

Mr. GROSS. I call the gentleman's attention to page 102 of the hearings of the subcommittee where Mr. Lanigan of the committee staff, the general counsel, pointed out that the Federal Water Pollution Control Administration, which transferred from HEW to the Department of Interior, provided for an additional Assistant Secretary of the Interior.

Then Mr. Lanigan said that he saw no provision in Reorganization Plan No. 3 either for the transfer of this Assistant Secretary to the new agency or for the abolition of his job.

Mr. Lanigan asked:

Was it contemplated that this additional Assistant Secretary will remain in the Interior Department?

The result of this questioning added up to the answer that this question would be disposed of in hearings on Re-

organization Plan No. 4; that is the fate of this Assistant Secretary.

I have read as carefully as I could the hearings on Reorganization Plan No. 4 and I can find no disposition of this Assistant Secretary. I wonder where he is going to go?

Mr. HOLIFIELD. I suppose that following former procedure, if a secretarial function in Interior is transferred over to the new agency, that any person who takes that place would be appointed and that the old Secretary would either be dismissed or appointed to a new agency somewhere else.

Mr. GROSS. But no evidence was submitted to your committee as to whether he was going to be used as an administrator on any other job?

Mr. HOLIFIELD. The only evidence submitted to our committee was that there were going to be seven new places.

Mr. GROSS. I am sure the gentleman knows the question that is in my mind and that is, Will this reorganization plan merely result in more empire building?

Mr. HOLIFIELD. I think it will result in the concentration of the different functions into one entity. The President says that this is the way to do it and the committee has decided to go along.

I will reserve the balance of my time and let our colleague, the gentleman from Illinois (Mr. ERLBORN) further expiate on that problem.

Mr. Chairman I include the following letters referring to Reorganization Plan No. 3:

HOUSE OF REPRESENTATIVES,
COMMITTEE ON GOVERNMENT OPERATIONS,
Washington, D.C., August 5, 1970.

HON. GEORGE P. SHULTZ,
Director, Office of Management and Budget,
Executive Office of the President, Wash-
ington, D.C.

DEAR MR. SHULTZ: During the past several weeks of our subcommittee hearings on Reorganization Plan No. 3, there has been testimony and discussion relating to the proposed transfer of all Federal Radiation Council functions to the Environmental Protection Agency. I do not believe that there has been adequate coverage concerning what the administration proposes with respect to present ongoing study projects being conducted by the FRC.

Specifically, this committee would like to know what is planned concerning completion of the FRC study and report on radon exposures in the uranium mining industry, and the comprehensive review of the radiation protection guides which I, in my capacity as chairman of the Joint Committee on Atomic Energy, requested in my March 20 letter to Chairman Finch (copy attached). Please indicate the expected schedule for the completion of these FRC efforts.

The committee would also like to know how similar multidiscipline studies concerning guides or standards for radiation exposure would be carried out under the newly proposed organization.

Your cooperation in this matter is appreciated.

Sincerely yours,

CHET HOLIFIELD,
Acting Chairman.

EXECUTIVE OFFICE OF THE PRESIDENT,
OFFICE OF MANAGEMENT AND BUDGET,
Washington, D.C., September 15, 1970.

HON. CHET HOLIFIELD,
Acting Chairman, Committee on Govern-
ment Operations, House of Representa-
tives, Washington, D.C.

DEAR MR. CHAIRMAN: This is in reply to your letter of August 5 asking for further in-

formation about the administration's plans with respect to ongoing projects being conducted by the Federal Radiation Council after the transfer of its functions to the Environmental Protection Agency proposed under Reorganization Plan No. 3.

The overall intent of the administration under the plan was described by Russell Train, Roy Ash, and other executive branch witnesses when they appeared before Mr. Blatnik's subcommittee on July 22 and 23. With regard to your specific questions:

(1) The review of radon daughter exposures in uranium mining will be completed under the supervision of the Interagency Review Group on Uranium Mining, which was set up by Secretary Finch, acting as Chairman of the FRC. The Surgeon General, USPHS, was directed to chair the group. The conclusions and recommendations of this Interagency Review Group are expected to be available in time for the administration to act on the change of the standard previously recommended before the effective date of January 1, 1971.

(2) The plan for review of FRC basic guidelines recommended by Chairman Finch is attached for your information. The projected time for the review of approximately 2 years was proposed by the National Academy of Sciences and supported by the FRC staff and working group. The FRC accepted the recommendations, and instructed the staff and working group to plan the Council's program accordingly.

(3) The administration has acted to insure that the ongoing programs in the functions and organizations being transferred to EPA are continued without interruption. The review of basic guidelines is already underway. The contracts with NAS and NCRP shown in the plan are in the process of being executed for fiscal year 1971. The transfer of functions will not affect the orderly progress of completing the study.

As to future multidiscipline studies concerning guides or standards for radiation exposure, we believe EPA will utilize the pattern and operational procedures already established under the FRC, and will use basically the same sources of expert advice, including critical non-Federal sources. Thus, EPA will be:

(1) Making full use of expertise available in other Government agencies;

(2) Utilizing NAS for advice on the biological effects of radiation;

(3) Utilizing the expertise in the NCRP for advice in respect to basic standards as well as advice on the most appropriate dosimetry models to be used in connection with the development of secondary standards; and

(4) Creating special task forces including experts from the Government and non-Government sectors as needed in special cases.

With the transfer of FRC to EPA under the Reorganization Plan, EPA will, of course, be bound by the existing statutory requirements to consult with the NAS, NCRP, and other qualified experts in the fields of biology, medicine, and health physics.

Sincerely,

GEORGE P. SHULTZ,
Director.

Mr. ERLBORN. Mr. Chairman, I yield such time as she may consume to the gentlewoman from New Jersey (Mrs. DWYER).

Mrs. DWYER. Mr. Chairman, I rise in opposition to House Resolution 1209 and urge that Reorganization Plan No. 3 of 1970 be allowed to become effective.

The net result of our Federal environmental protection effort to date is a structure incapable of coordinated and effective action in dealing with pollution. Having developed piecemeal, the environmentally related activities of Government are now scattered among a number

of departments and agencies and are incapable of a concerted attack upon our pollution problems.

I have long crusaded for a more effective allocation of the resources of Government and I know of no area where reorganization is more essential than in pollution control.

Many agency missions for environmental protection have been designed without regard to the interrelatedness of the sources of air, water, and land pollution.

Reorganization Plan No. 3 would not only make possible comprehensive research, standard setting, and consistent and effective policy formulation, but would simplify intergovernmental relations. State and local governments, as well as industry, should thereby be spared some of the frustrations of dealing with a number of different agencies.

Overhauling the cumbrous machinery of Government is a task of awesome proportions and cannot be accomplished in one fell swoop. The President has redeemed his campaign pledge "to set in motion a searching, fundamental reappraisal of our whole structure of government" and is proceeding systematically and thoroughly.

The President has established environmental quality as a priority objective of this administration; Congress has long been committed to the same goal; and the public shares the same commitment. In such a climate, and in face of the need it would be unthinkable to reject this reorganization plan.

The President must be permitted not only to gain economy and efficiency in Government, but to give Government the ability to meet priority needs and thus restore the quality of life.

Admittedly, Reorganization Plan No. 3 is not the last word, nor is it intended to be. But I agree with the President that it is a sound and significant beginning toward the ultimate objective of maximizing the effective coordination and functioning of the Nation's environmental and resource protection activities.

Therefore, I urge this body to vote "no" on House Resolution 1209 and thus allow Reorganization Plan No. 3 of 1970 to become effective.

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

Mr. Chairman, of the many reorganization plans that have been referred to the Committee on Government Operations and debated in this body since I became a Member of Congress, none has been more in keeping with the letter and the spirit of the Reorganization Act of 1949, as amended and now codified at 5 U.S.C. 901-913, than Reorganization Plan No. 3 of 1970.

Not only is it needed to promote the better execution of the laws, the more effective management of the executive branch and of its agencies and functions, and the expeditious administration of the public business, but it is deliberately designed to increase the efficiency of the operations of the Government to the fullest extent practicable.

The present fragmentation of pollution control programs among several agencies of Government no longer serves the public interest. The unified system

that is the environment must be matched by a corresponding interrelatedness of governmental responsibilities to protect that environment.

No matter how much additional funds we appropriate to restore and preserve the quality of our environment much of our investment will be wasted unless we remedy the fractured structure that currently inhibits effective use of funds and people.

No single agency is presently responsible for developing the integrated research, standard setting, and assistance necessary to develop and carry out a comprehensive program of pollution control.

The President has made a compelling case for proposing a separate new agency, rather than placing environmental protection activities in an existing department. Because each department's view of environmental questions is affected by its own primary mission, its objectivity as an impartial standard setter for other departments could be called into question. A strong independent agency is needed.

The Environmental Protection Agency would bring together in a single organization the major Federal pollution control programs now existing in four separate agencies and one interagency council.

The plan would combine functions carried out by the Federal Water Quality Administration—FWQA—now in the Department of the Interior; the National Air Pollution Control Administration—NAPCA—parts of the Environmental Control Administration—ECA—and the pesticides research and regulatory programs of the Food and Drug Administration, all presently located in HEW; the pesticides registration and related authority of the Department of Agriculture; the environmental radiation protection standard-setting function of the AEC; the functions of the Federal Radiation Council; some of the pesticides research conducted by the Bureau of Commercial Fisheries; and authority to conduct ecological systems research, now vested in the Council on Environmental Quality.

Thus, the new agency would include only those programs or functions necessary for it to carry out its mission of integrated policymaking and pollution control. The standard-setting function is a critical one and although only a handful of programs are being transferred, they represent an authority that can exert a great deal of leverage in improving environmental quality.

In view of this carefully worked out answer to a demonstrated need, it is difficult to understand the opposition to the plan culminating in the resolution of disapproval before us today. Nevertheless, opposition has been expressed and it deserves an answer.

The arguments that I have heard advanced against this plan are basically three in number, first, that it does not go far enough in coordinating the environmental protection activities of Government; second, that it goes too far in coordinating the environmental protection activities of Government, and final-

ly, that the coordination of the environmental activities of Government should have been accomplished in some other place and under some other name.

The first two arguments tend to cancel each other out and are a tribute to the balance with which the proposed organizational structure is designed. The third defies argument because there is no profit in disputing differences concerning tastes.

Substantial or not, these arguments merit examination in somewhat more detail. As to the argument that the plan does not go far enough in coordinating the environmental protection activities of Government there is no question but what environmental factors exist in practically all operating programs of the Federal Government. Some of them should probably be included in this new agency and undoubtedly, at some later time, will be. That fact, however, should not militate against this very meaningful and significant plan to consolidate basic efforts to determine tolerance levels and standards for major forms of pollution affecting the general environment, to enforce those standards and to provide assistance in alleviating pollution problems.

Resistance to the separation of responsibilities for regulating the environmental effects of a particular activity from the responsibilities for promoting or developing a particular resource or activity gives rise to the second argument I mentioned earlier that the plan goes too far. While the problem is one of Federal organization subject to more than one solution, there is a growing public concern over the vesting of promotional and regulatory powers in the same agency of Government. The Department of Agriculture's regulation of pesticides and the Atomic Energy Commission's regulation of radiation levels were cited as examples having a potential for conflict of interest. Vesting these regulatory functions in an independent Environmental Protection Agency should allay any fears that special interests will prevail over the interest of the public at large.

Moreover, it should be noted that pursuant to the reorganization provisions of 5 U.S.C. 901-913, a reorganization plan cannot create any new authorities or functions. The functions of the new Environmental Protection Agency, at the outset, will be those of its constituent parts. However, those functions will be better coordinated and performed.

Finally, a word about the view that the coordination of the environmental activities of Government should have been accomplished in some other place and under some other name. Alternative proposals have ranged from maintaining the status quo to a super Department of Environment and Natural Resources. However, the vast, overwhelming majority feel that reorganization is needed and the pulling together of environmental protection functions of the Federal Government in one agency is needed if we are to get the job done that has to be done. The only question is what sort of reorganization? What the administration has done in this case is to pursue the right and only politi-

cally feasible course. Politics is often the art of the possible. Perhaps this plan does not go as far as it should, but I believe it goes as far as it can. Logically, a case could be made for including, for example, the civil functions of the Corps of Engineers, the Forest Service, and other entrenched bureaucracies in a Department of Environment and Natural Resources, but how far would such a reorganization plan get in this Congress? While Reorganization Plan No. 3 may be only a first step in a direction that has to be traveled, it is the maximum that can be accomplished now. It is the optimum compromise between discretion and bold imaginativeness and I commend the administration for its genius in devising a plan to increase the efficiency of the operations of the Government to the fullest extent practicable.

Therefore, I urge this body to vote "no" on House Resolution 1209 and thus allow Reorganization Plan No. 3 of 1970 to become effective.

One last comment, I would like to repeat what the gentleman from California (Mr. HOLIFIELD) has said about the double negative aspect of the vote on this proposition. The President's Reorganization Plan No. 3 will become law unless a resolution of disapproval is adopted. The Committee on Government Operations almost unanimously has recommended this resolution of disapproval, which we are considering today, not be adopted. So to allow this plan to go into effect and to allow the environmental protection agency to become law, we are recommending that Members vote "no" on the resolution of disapproval.

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

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

Mr. HALL. Mr. Chairman, I appreciate the gentleman yielding.

Mr. Chairman, I only have two questions. First, is it not true that if we simply had failed to bring the resolution up, with almost unanimous agreement of the committee that it be defeated and a "no" vote be cast in order to allow the Presidential reorganization plan to go through, the reorganization plan within 60 to 90 days would have gone through and have had the effect of law anyway, under the existing Reorganization Act?

Mr. ERLENBORN. The gentleman is correct. If no action is taken on the resolution of disapproval, the reorganization plan becomes law automatically at the expiration of 60 days as provided in the statute, so I think it is testimony to the fairmindedness of the acting chairman of our committee, the gentleman from California (Mr. HOLIFIELD) that he saw that this matter was scheduled, so the House could have an opportunity to vote one way or the other. If we had done nothing, the plan would have become law just by operation of the law.

Mr. HALL. My comment was toward avoiding another double negative situation.

But, Mr. Chairman, my second question and what I originally rose for was

to ask the gentleman if he would care to expound a little further on just how this new consolidated agency would interface with the new Assistant Secretary of Defense for Health and Environmental Measures which was created by this body.

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

Mr. ERLENBORN. Mr. Chairman, I yield myself 5 additional minutes.

Mr. HALL. As the gentleman may know, this body created the Assistant Secretary of Defense for health matters and, presumably by Presidential agreement with the Secretary of Defense, "environmental affairs," was added. I believe it is a very excellent thing.

Would this agency have any control over that function of the Department of Defense on which so much has been expended in order to clear up pollution of the air and waters and solid waste and everything else so recently in various posts, camps, and stations, under the military construction authorization and appropriations?

Mr. ERLENBORN. To answer the gentleman in the context he asked the question, the answer is "No," that this agency would have no control over the Department of Defense or the Assistant Secretary, because the reorganization plan by law cannot create any new functions. We can only transfer to a newly created agency functions already existing. But it will provide a place where the major pollution control activities of the Government will be administered under one head, and, therefore, will provide better liaison with the Department of Defense and other departments of Government.

Mr. HALL. Mr. Chairman, knowing the Assistant Secretary of Defense for health and environmental matters, I am sure he will coordinate with this agency. I intend to vote "no" for this resolution and allow the reorganization to proceed, even though in principle I disapprove of vetoes in reverse.

It is my understanding that the U.S. House of Representatives will today be asked to disapprove President Nixon's Reorganization Plan No. 3, establishing an Environmental Protection Agency. This Member will be happy to give his full support to a bringing together of the many Federal programs into an independent agency. My constituency in the beautiful Ozarks of Missouri is populated by Americans who deplore pollution and other attacks on our natural resources and our recreational areas. They have trouble knowing where to turn in their desire to solve their problems at the proper local levels.

Being one of only three physicians in the U.S. Congress, I am especially aware of the health hazards that are presenting themselves as the pollution problem grows in size. I am pleased to know that my own medical association, the American Medical Association, has pledged its support to the President's program.

There follows a letter addressed to the President and signed by Walter C. Bornemeier, M.D., president of the American Medical Association:

AMERICAN MEDICAL ASSOCIATION,
Chicago, Ill., July 27, 1970.

The PRESIDENT,
The White House,
Washington, D.C.

DEAR MR. PRESIDENT: We in the medical profession have long been concerned about the health problems generated by man's interaction with his environment. The need for affirmative action by all segments of our society is immediate and great. We are extremely pleased to see that you are continuing to put the Federal House in order so that the government's environmentally-related activities can be organized rationally and systematically.

We wish to lend our fullest support to your recent reorganization plan establishing the environmental protection agency. We applaud your decision to bring together previously scattered Federal programs into one coherent and independent agency. This action will undoubtedly impart to the programs concerned a degree of public visibility that is so necessary for adequate funding and responsive administration. Then, too, this major step forward will enhance the status of these programs by providing that the head of the agency will report directly to you.

We are fully aware of the many and difficult problems that the country faces in attempting to control and to reduce environmental pollution. We, therefore, congratulate you on this progressive action which will rationalize these governmental research and enforcement programs. Please be assured that the medical profession—always active in the fight against environmental pollution—will continue to do its share.

Respectfully yours,

WALTER C. BORNEMEIER, M.D.

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

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

Mr. KYL. Of course, there is an overwhelming temptation to vote for the establishment of anything that will coordinate efforts in the field of environmental control, but did the committee contemplate the possible results, for instance, on item No. 4, the pesticides research and standard-setting program of the Food and Drug Administration in the Department of Health, Education, and Welfare? It occurs to me if we set up a new bureau in a new department to do this kind of work we are going to have to buy all of the equipment which exists in the other agency, and hire an additional set of people to do this work, because HEW now does work of many different kinds in chemical research and toxic research and so on.

Are we merely creating a whole new office to do the same job that this other office has been doing but at the same time leaving the old office sufficient work to keep all of its personnel and all the equipment.

Mr. ERLENBORN. I believe the only way I could answer the gentleman would be to say that those people who are identified with this particular program—that is, the standard setting and pesticides research—are now in HEW, and the facilities and equipment utilized in that program will be physically transferred to the new agency. To what extent they may be physically interrelated with other research I cannot answer offhand.

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

Mr. ERLENBORN. I am happy to yield to the gentleman from California.

Mr. HOLIFIELD. On page 103 of the hearings, I will say to my colleague, there is testimony by the Honorable J. Phil Campbell, Under Secretary of the Department of Agriculture, who was accompanied by Dr. George W. Irving, Administrator of the Agricultural Research Service. He appeared and he did testify on this matter, and testified in favor of this transfer.

Mr. ERLENBORN. I thank the gentleman for his contribution.

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

Mr. ERLENBORN. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. I hope that this reorganization will work, but very frankly, I am dubious, I will say to the gentleman, for the reason that I was here when the Department of Defense was created. Others were here at that time and they will recall that we were told the Department of Defense would be lean and hungry. It seems to me that we were told there would be about 150 additional employees over there.

I suspect that there are 10,000 to 20,000 now in the Department of Defense. Just another layer of fat, in my opinion, has been added to the administration of the military establishment of this country. After all these years there is still little commonality of information on purchasing. There are secretaries, assistant secretaries, and deputy secretaries all over the place. I do not have the faintest idea of what the administration of the Department of Defense is costing. I am sure it is the biggest one of the reorganizations in terms of personnel and in terms of cost to the public. It would be fine if these reorganization plans did what you say they will do in these hearings and in the report; that is, create efficiency and economy, but they just do not do it. I hope, if this resolution is approved, that this will be the first one that will provide for commonality in the matter of information and efficiency and economy in Government. If it does, it will be the first since I have been a Member of Congress.

Mr. ERLENBORN. I thank the gentleman, and I join in his hope.

Mr. HOLIFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Chairman, a few years ago my colleague, JOHN MOSS, and I came into to the well to speak against a proposal to create an Airways Modernization Board. We pointed out at that time that bill created an out-house, a shed, a temporary structure, where a major edifice was needed. Within 2 years of that time, my colleagues who were here then will recall, the Congress responded by unanimously passing the legislation that created the Federal Aeronautics Administration. In the passage of the legislation which created the FAA the very arguments were used that we had made against the Airways Modernization Board.

Today we have a similar situation before us. The Administration would have you believe that this proposal combines all of the environmental protection activities in the Federal Government in one agency. Let me tell you that is not so. Programs in the Department of Agriculture dealing with water and sewerage, programs in the Department of HUD making major grants to cities for the construction of water and sewage facilities are not transferred, and none of the environmentally directed activities in the Department of Defense or the Department of Transportation are transferred to the new agency. As a matter of fact, they are immune and exempt from this reorganization plan. One must ask why agencies which have so much to do with environmental protection of the quality of our environment have been completely passed over. The answer is that it was probably just too big and too much of a political question for the Administration to take over. It is said that this is going to result in efficiency. As a matter of fact, let me tell my colleagues that there is nothing further from the truth than that. The answer is that this proposal is going to give us first of all better than a year and probably at least 2 years wherein practically nothing will be done about environmental protection by the agencies.

My friend from Iowa pointed out some of the circumstances. First of all, they have to select the bureaucrats; second of all, they have to review all of the policies; third of all, they have to get themselves an appropriation so that they can get the proper building and properly decorated offices, and then they have to get good-looking secretaries and follow that up by kicking out all of the people who made life hard for the polluters, so that they can satisfy the polluters and their big campaign contributors. That is what will happen. You have 2 years when nothing will happen while the Nation is riven by concern over the pollution of our environment and the destruction of environmental quality in this Nation. After they have their limousines and their secretaries, their draperies and their rugs and their new offices and office furniture selected, they will begin to settle down and produce efficiency experts in their agency. They will have to bring in all of these people from the agencies where they are, and they will move them around in order to try to get matters going forward again. This will go on until a new administration comes in and starts the reorganization all over again.

So that you do not think I am being partisan, I want you to know that I intend to oppose this if another administration tries to do the same thing.

We have gone this route before when we have moved water pollution from the Department of Health, Education, and Welfare to the Department of the Interior, and if any of you watched what transpired at that time, you will know that these delays and wastes are exactly what takes place.

And, what you wind up with really is not less people doing more effective work, but more people doing a great deal

less. That is what is going to transpire here. There will be a lot more bureaucrats drawing higher salaries, with more secretaries and limousines and fancy office furniture, but doing less work. While the so-called efficiency experts who will be around the Department having responsibility for this program, there will be two, three, four, or five people doing the work that can be done by one person.

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

Mr. DINGELL. I shall be happy to yield to the gentleman from Iowa.

Mr. KYL. I will say, first, that the gentleman from Michigan puts himself in jeopardy, because there will be those who will be quick to pounce upon his words as indicating that he is an enemy of environmental control.

Mr. DINGELL. Well, of course, I am not. I am very much in favor of workable programs which will strengthen our laws against environmental pollution. I would point out that I have worked hard to make our antipollution and environmental programs effective devices.

Mr. KYL. Mr. Chairman, if the gentleman will yield further, I agree with the gentleman to this extent: If we are going to reorganize all of our resources into one agency or department, we should go all the way.

Mr. DINGELL. The distinguished gentleman from Iowa is entirely correct.

Mr. KYL. It is like having one agency running one part of a program under one set of rules and another handling a different part of the program under another set of rules.

We ought to also take the military portions of this problem and put them under a broad heading if we are to have total environmental control.

Mr. Chairman, I would feel better about Reorganization Plan No. 3 if we could pull together all of these agencies because I believe we might be fragmenting as the gentleman indicates.

Mr. DINGELL. I thank my friend for his valuable contribution.

Mr. Chairman, what is needed is a program of a major emphasis, a major edifice. Also, so that my colleagues will know—and I will insert it in the Record at the proper time—there is legislation pending to create a Department of Natural Resources and Environmental Quality so that we will know that the affairs of Government are being upgraded and not downgraded and that a large number of agencies having direct standard-making responsibility will not be totally ignored.

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

Mr. HOLIFIELD. Mr. Chairman, I yield the gentleman 3 additional minutes.

Mr. DINGELL. But I think it has to be recognized that they could be totally or easily ignoring many agencies having responsibility in this area but we are effectively discrediting the old agencies and we will have Assistant Secretaries and Under Secretaries speaking on behalf of pollution abatement which will be carried out by an Administrator.

Mr. Chairman, we are told that this is going to be like NASA. But there is a difference. NASA has been successful for two reasons. They have had the strongest kind of policy support from the Hill and the administration and we have given them the funds with which to do the job. We have supported them completely so that they could do the job. That is the reason that NASA has been successful.

Mr. Chairman, I have no doubt but that within a very short period of time this issue will be back before us and we will be called upon to recognize the warning I give you today that the program is not going to work because a major attack upon environmental pollution is required by an independent agency with the necessary funds and with the ability to do the job. If this reorganization plan goes into effect we have only today set up something temporarily which in my opinion will be clearly and plainly counterproductive.

Mr. Chairman, in my remarks before the Committee on Government Operations I cited the book "Peter Principle." One of the things discussed there was the situation where you have a major problem which outrages everyone. But for good or bad reasons, it is inexpedient to attack the problem directly. We have here such a nasty problem and a highly political one. In this case, we will be utilizing the Peter's Placebo, appearing to do something when in fact we are really going after an altogether different problem, attacking something else and not in fact doing anything at all about the main problem. But it just looks like you are doing something. That is what the Reorganization Plan No. 3 is all about today.

It is something which is going to accomplish nothing and which will not work, but it gives the appearance of doing, so that the malcontents in the audience may be convinced there is something that is going to happen. But I will promise my colleagues one thing, and that is that this is not going to make progress, it is counterproductive. I would urge my colleagues that this program should be rejected. I believe we should do something about this area, but not on a take-it-or-leave-it basis, or swallow-it-whole-or-nothing basis, as under this kind of a proceeding, but rather this should be done through legislation where together, all the people of the Nation, the persons interested in conservation as well as even the polluters, would be permitted to come forward and to make suggestions so that we could have a careful study and review of the whole situation which would in the end answer a lot of unanswered questions that are before us. Although there is not enough time, I would simply point out to my colleagues that this piece of legislation is so fraught with unanswered questions that on that basis alone, apart from the lack of wisdom and apart from the lack of effectiveness it should be summarily rejected.

The legislation to which I referred earlier is H.R. 19195, to establish a Department of Environmental Quality, which I cosponsored with my friend the gentleman from California (Mr. Moss) the text of which follows:

H.R. 19195

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 "Department of Environmental Quality Act".

DECLARATION OF PURPOSE

SEC. 2. (a) The Congress hereby declares that—

(1) the public health, general welfare, and economic growth and stability of the Nation is dependent on the continued availability of unpolluted air and water—our irreplaceable resources; and

(2) high-density urbanization, industrial development and expansion, population growth and concentrations, resource exploitation, and new and expanding technological advances, together with the lack of adequate consideration given by public and private agencies and individuals to the impact of these activities on the total environment, has resulted in mounting dangers to the public health and welfare and our environment.

(b) (1) The Congress therefore finds that the establishment of a Department of Environmental Quality is necessary in the public interest and to protect the public health; to assure the coordinated, effective protection and enhancement of the quality of the environment; to facilitate a coordinated, effective attack on the pollutants which debase the air we breathe, the water we drink and use for recreation and agricultural purposes, and the land that supplies our food and supports our wildlife; to encourage and foster cooperation of Federal, State, and local agencies and foreign governments and private organizations and agencies and individuals toward the prompt achievement of the national environmental quality protection and enhancement objectives set forth in this Act and many other statutes; to stimulate technological advances in pollution control and prevention and environmental protection and enhancement; to provide general leadership nationally and internationally in the identification and solution of environmental problems; and to develop, further define, and to recommend to the President and the Congress new and improved programs, including the adequate financing of such programs and existing programs, and to accomplish these objectives with full and appropriate consideration of the need to encourage the growth and development of the Nation, to improve the daily lives of all of the people of the Nation, and to preserve our national security.

(2) It is hereby declared to be the national policy that the prevention of air and water pollution and the protection and enhancement of the total environment in productive harmony with the social, economic, and other requirements of present and future generations of Americans is in the paramount interest of the United States.

ESTABLISHMENT OF DEPARTMENT

SEC. 3. (a) There is hereby established at the seat of Government an executive department to be known as the Department of Environmental Quality (hereafter referred to in this Act as the "Department"). There shall be at the head of the Department a Secretary of Environmental Quality (hereafter referred to in this Act as the "Secretary"), who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) There shall be in the Department an Under Secretary, who shall be appointed by the President, by and with the advice and consent of the Senate. The Under Secretary (or, during the absence or disability of the Under Secretary, or in the event of a vacancy in the office of Under Secretary, an Assistant Secretary or the General Counsel, determined according to such order as the Secretary shall prescribe) shall act for, and ex-

ercise the powers of the Secretary, during the absence or disability of the Secretary or in the event of a vacancy in the office of Secretary. The Under Secretary shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.

(c) There shall be in the Department three Assistant Secretaries and a General Counsel who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time. The Assistant Secretaries shall be: for air and water pollution control; for environmental protection; and for international affairs.

(d) There shall be in the Department an Assistant Secretary for Administration, who shall be appointed, with the approval of the President, by the Secretary under the classified civil service who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.

(e) There is hereby established within the Department a Federal Water Quality Control Administration; a National Air Quality Control Administration; and an Environmental Protection Administration. Each of these components shall be headed by an Administrator. In the case of each Administration, there shall be five Deputy Administrators appointed by the Secretary: for Research and Development; for Loans and Grants; for Standards and Regulations Development and Intergovernmental Coordination; for Enforcement; and for Administration and Public Information. The Administrators shall be appointed by the President, by and with the advice and consent of the Senate.

(f) In addition to such functions, powers, and duties specified in this Act to be carried out by the Administrators, they shall carry out such other functions, powers, and duties as the Secretary may prescribe. The Administrators shall report to the Secretary through the applicable Assistant Secretary and the Under Secretary. Each Deputy Administrator (according to such order as the appropriate Administrator shall prescribe) shall act for, and exercise the duties of, the appropriate Administrator during his absence or disability. Each Administrator shall prescribe the functions, powers, and duties of each of his Deputy Administrators.

(g) The functions, powers, and duties as are specified in this Act to be carried out by an Administrator shall not be transferred elsewhere in the Department unless specifically provided for by reorganization plan submitted pursuant to provisions of chapter 9 of title 5, United States Code, or by Act of Congress enacted after the effective date of this Act.

TRANSFERS TO DEPARTMENT

SEC. 4. There are hereby transferred to the Secretary to be administered by him through the Administrator of the Federal Water Quality Control Administration all functions, powers, and duties of the Secretary of the Interior and other offices and officers of the Department of the Interior administered:

(1) by him or by the Federal Water Quality Administration pursuant to (A) the Federal Water Pollution Control Act, as amended, (B) Reorganization Plan Numbered 2 of 1966 (80 Stat. 1608), and (C) section 169(d) (1) (B) and (3) of the Internal Revenue Code of 1954, as amended, but shall not include the functions of the Bureau of Reclamation under section 3(b) (1) of the Federal Water Pollution Control Act, as amended; and

(2) by the Water Resources Division of the Geological Survey, including, but not limited to, the water monitoring functions of the Geological Survey.

(b) There are hereby transferred to the Secretary to be administered by him through such Administrator all functions, powers, and duties of the:

(1) Secretary of Agriculture administered by him through the Farmers Home Adminis-

tration insofar as such functions, powers, and duties relate to water and sewer facilities; and

(2) Secretary of Housing and Urban Development, the Secretary of Commerce, and the Appalachian Regional Commission insofar as such functions, powers, and duties relate to water and sewer facilities.

(c) (1) There are hereby transferred to the Secretary to be administered by him through the Administrator of the National Air Quality Control Administration all functions, powers, and duties of the Secretary of Health, Education, and Welfare under the Clean Air Act, as amended, and section 169(d) (1) (B) and (3) of the Internal Revenue Code of 1954, as amended.

(2) There are hereby transferred to the Secretary to be administered by him the Air Quality Advisory Board established by section 110 of the Clean Air Act, as amended.

(d) There are hereby transferred to the Secretary to be administered by him through the Administrator of the Environmental Protection Administration all functions, powers, and duties of the:

(1) Secretary of the Interior (A) under the Act of August 1, 1958, as amended (16 U.S.C. 742d-1), relating to studies of effects of insecticides, herbicides, fungicides, and pesticides, (B) which are administered by him through the Gulf Breeze Biological Laboratory, and (C) which are administered by him through the Bureau of Mines insofar as such functions, powers, and duties relate to solid waste management;

(2) Secretary of Health, Education, and Welfare which are administered by him through the Bureau of Solid Waste Management, the Bureau of Water Hygiene, and the Bureau of Radiological Health and which are vested in him for establishing tolerances for pesticide chemicals under the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 346, 346a, and 348) together with authority, in connection with the functions transferred, (A) to monitor compliance with the tolerances and the effectiveness of surveillance and enforcement, and (B) to provide technical assistance to the States and conduct research under the Federal Food, Drug, and Cosmetic Act, as amended, and the Public Health Service Act, as amended, except that those functions, powers, and duties carried out by the Environmental Control Administration of the Environmental Health Service through the Bureau of Community Environmental Management, the Bureau of Occupational Safety and Health, and the Bureau of Radiological Health, are not so transferred insofar as those functions, powers, and duties carried out by the latter Bureau pertain solely to (A) regulation of radiation from consumer products, including electronic product radiation, (B) radiation as used in the healing arts, (C) occupational exposures to radiation, and (D) research, technical assistance, and training related to such clauses (A), (B), and (C);

(3) Secretary of Agriculture (A) under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 135-135k), under section 408(1) of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 346a(1)), and (B) which are administered through the Environmental Quality Branch of the Plant Protection Division of the Agricultural Research Service;

(4) Secretary of Transportation with respect to, and being administered by him, through the Office of Noise Abatement;

(5) Federal Radiation Council under section 274 of the Act of August 1, 1946, as amended (42 U.S.C. 2021(h)); and

(6) Atomic Energy Commission under the Atomic Energy Act of 1954, as amended, which are administered through the Division of Radiation Protection Standards, to the extent that such functions, powers, and duties consist of establishing and enforcing en-

vironmental standards and safeguards for the protection of the general environment from radioactive material which standards are defined to mean: limits on radiation exposures or levels, or concentrations of or quantities of radioactive material, in the general environment outside the boundaries of locations under the control of persons possessing or using radioactive material.

(e) The Secretary, in administering the programs transferred under this section, shall coordinate his activities with those of the departments and agencies which administer such programs prior to the effective date of this Act.

(f) Within one hundred and eighty days after the effective date of this Act, the President may transfer to the Secretary any function of any other agency or office or part thereof if the President determines that such function relates to functions transferred to the Secretary under this section.

ADMINISTRATIVE PROVISIONS

SEC. 5. (a) In addition to the authority contained in any other Act which is transferred to, and vested in, the Secretary, he or any other officer of the Department may, subject to the civil service and classification laws, select, appoint, employ, and fix the compensation of such officers and employees, including investigators, attorneys, and hearing examiners, as are necessary to carry out the provisions of this Act and to prescribe their authority and duties.

(b) The Secretary may obtain services as authorized by section 3109 of title 5 of the United States Code, but at rates not to exceed \$100 per diem for individuals unless otherwise specified in an appropriation Act.

(c) (1) Except where this Act vests in any administration, agency, or board, specific functions, powers, and duties, the Secretary may, in addition to the authority to delegate and redelegate contained in any other Act in the exercise of the functions transferred to or vested in the Secretary in this Act, delegate any of his residual functions, powers, and duties to such officers and employees of the Department as he may designate, may authorize such successive redelegations of such functions, powers, and duties as he may deem desirable, and may make such rules and regulations as may be necessary to carry out his functions, powers, and duties.

(2) In addition to the authority to delegate and redelegate contained in any other Act, in the exercise of the functions transferred to or specified by this Act to be carried out by any officer in the Department, such officer may delegate any of such functions, powers, and duties to such other officers and employees of the Department as he may designate; may authorize such successive redelegations of such functions, powers, and duties as he deems desirable; and may make such rules and regulations as may be necessary to carry out such functions, powers and duties.

(d) The Secretary is authorized to establish a working capital fund, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of such common administrative services as he shall find to be desirable in the interest of economy and efficiency in the Department, including such services as a central supply service for stationery and other supplies and equipment for which adequate stocks may be maintained to meet in whole or in part the requirements of the Department and its agencies; central messenger, mail, telephone, and other communications services; office space, central services for document reproduction, and for graphics and visual aids; and a central library service. The capital of the fund shall consist of any appropriations made for the purpose of providing capital (which appropriations are hereby authorized) and the fair and reasonable value of

such stocks of supplies, equipment, and other assets and inventories on order as the Secretary may transfer to the fund, less the related liabilities and unpaid obligations. Such funds shall be reimbursed in advance from available funds of agencies and offices in the Department, or from other sources, for supplies and services at rates which will approximate the expense of operation, including the accrual of annual leave and the depreciation of equipment. The fund shall also be credited with receipts from sale or exchange of property and receipts in payment for loss or damage to property owned by the fund. There shall be covered into the United States Treasury as miscellaneous receipts any surplus found in the fund (all assets, liabilities, and prior losses considered) above the amounts transferred or appropriated to establish and maintain said fund.

(e) The Secretary shall cause a seal of office to be made for the Department of such device as he shall approve, and judicial notice shall be taken of such seal.

(f) In addition to the authority contained in any other Act which is transferred and vested in the Secretary, he or any other officer of the Department, as necessary and when not otherwise available, is authorized to provide for, construct, or maintain the following for employees and their dependents stationed at remote localities:

- (1) emergency medical services and supplies;
- (2) food and other subsistence supplies;
- (3) messing facilities;
- (4) motion picture equipment and film for recreation and training;
- (5) reimbursement for food, clothing, medicine, and other supplies furnished by such employees in emergencies for the temporary relief of distressed persons; and
- (6) living and working quarters and facilities.

The furnishing of medical treatment under clause (1) and the furnishing of services and supplies under clauses (2) and (3) of this subsection shall be at prices reflecting reasonable value, as determined by the Secretary, and the proceeds therefrom shall be credited to the appropriation from which the expenditure was made.

(g) (1) The Secretary is authorized to accept, hold, administer, and utilize gifts and bequests of property, both real and personal, for the purpose of aiding or facilitating the work of the Department. Gifts and bequests of money and the proceeds from sales of other property received as gifts or bequests shall be deposited in the Treasury in a separate fund and shall be disbursed upon order of the Secretary for carrying out the missions of the Department. Property accepted pursuant to this paragraph, and the proceeds thereof, shall be used as nearly as possible in accordance with the terms of the gift or bequest.

(2) For the purpose of Federal income, estate, and gift taxes, property accepted under paragraph (1) shall be considered as a gift or bequest to or for use of the United States.

(h) The Secretary is authorized to appoint, without regard to the civil service laws, such advisory committees as shall be appropriate for the purpose of consultation with, and advice to, the Department in performance of its functions. Such committees shall include members who are drawn from the general public and environmental organizations. Members of such committees, other than those regularly employed by the Federal Government, while attending meetings of such committees or otherwise serving at the request of the Secretary, may be paid compensation at rates not exceeding those authorized for individuals under subsection (b) of this section, and while so serving away from their homes or regular places of business, may be allowed travel expenses, includ-

ing per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(1) The Secretary is authorized to enter into contracts with educational institutions, public or private agencies or organizations, or persons for the conduct of scientific or technological research into any aspect of the problems related to the programs of the Department which are authorized by statute.

(2) The Secretary shall require a showing that the institutions, agencies, organizations, or persons with which he expects to enter into contracts pursuant to this subsection have the capability of doing effective work. He shall furnish such advice and assistance as he believes will best carry out the mission of the Department, participate in coordinating all research initiated under this subsection, indicate the lines of inquiry which seem to him most important, and encourage and assist in the establishment and maintenance of cooperation by and between the institutions, agencies, organizations, or persons and between them and other research organizations, the Department, and other Federal agencies.

(3) The Secretary may from time to time disseminate in the form of reports or publications to public or private agencies or organizations, or individuals, such information as he deems pertinent to the research carried out pursuant to this section.

(4) Nothing contained in this subsection is intended to amend, modify, or repeal any provisions of law administered by the Department which authorize the making of contracts for research.

(j) No research, demonstrations, or experiments shall, after the effective date of this Act, be carried out, contracted for, sponsored, cosponsored, or authorized under authority of the Act or any other law transferred to, and vested in, the Secretary, unless all information, uses, products, processes, patents, and other developments resulting from such research, demonstrations, or experiments will (with such exception and limitation, if any, as the Secretary may find to be necessary in the public interest) be available to the general public.

(k) (1) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with the functions transferred to the Secretary or the Department by this Act as the Director of the Office of Management and Budget shall determine shall be transferred to the agency at such time or times as the Director shall direct.

(2) Such further measures and dispositions as the Director of the Office of Management and Budget shall deem to be necessary in order to effectuate the transfers referred to in paragraph (1) of this subsection shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

(1) The Administrators appointed under this Act shall be compensated at the rate now or hereafter provided for level V of the Executive Schedule pay rates (5 U.S.C. 5314) and the Deputy Administrators appointed under this Act shall be compensated at the rate now or hereafter provided for level V of the Executive Schedule pay rates (5 U.S.C. 5315).

ANNUAL REPORT

SEC. 6. The Secretary shall, as soon as practicable after the end of each fiscal year, make a report in writing to the President and to the Congress on the activities of the Department during the preceding fiscal year.

SAVINGS PROVISIONS

SEC. 7. (a) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges—

(1) which have been issued, made, granted, or allowed to become effective—

(A) under any provision of law amended by this Act, or

(B) in the exercise of duties, powers, or functions which are transferred under this Act, by (i) any department or agency, any functions of which are transferred by this Act, or (ii) any court of competent jurisdiction, and

(2) which are in effect at the time this Act takes effect, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Secretary, Administrators, Board, or General Counsel (in the exercise of any authority respectively vested in them by this Act), by any court of competent jurisdiction, or by operation of law.

(b) The provisions of this Act shall not affect any proceedings pending at the time this section takes effect before any department or agency (or component thereof), functions of which are transferred by this Act; but such proceedings, to the extent that they relate to functions so transferred, shall be continued before the Department. Such proceedings to the extent they do not relate to functions so transferred, shall be continued before the Department or agency before which they were pending at the time of such transfer. In either case orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or repealed by the Secretary, Administrators, Board, or General Counsel (in the exercise of any authority respectively vested in them by this Act), by a court of competent jurisdiction, or by operation of law.

(c) (1) Except as provided in paragraph (2)—

(A) the provisions of this Act shall not affect suits commenced prior to the date this section takes effect, and

(B) in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if this Act had not been enacted.

No suit, action, or other proceedings commenced by or against any officer in his official capacity as an officer of any department or agency, functions of which are transferred by this Act, shall abate by reason of the enactment of this Act. No cause of action by or against any department or agency, functions of which are transferred by this Act, or by or against any officer thereof in his official capacity shall abate by reason of the enactment of this Act. Causes of actions, suits, actions, or other proceedings may be asserted by or against the United States or such official of the Department as may be appropriate and, in any litigation pending when this section takes effect, the court may at any time, on its own motion or that of any party, enter an order which will give effect to the provisions of this subsection.

(2) If before the date on which this Act takes effect, any department or agency, or officer thereof in his official capacity, is a party to a suit, and under this Act—

(A) such department or agency is transferred to the Secretary, or

(B) any function of such department, agency, or officer is transferred to the Secretary,

then such suit shall be continued by the Secretary (except in the case of a suit not involving functions transferred to the Secretary, in which case the suit shall be continued by the department, agency, or officer which was a party to the suit prior to the effective date of this Act).

(d) With respect to any function, power, or duty transferred by this Act and exercised after the effective date of this Act, reference

in any other Federal law to any department or agency, officer or office so transferred or functions of which are so transferred or functions of which are so transferred shall be deemed to mean the officer or agency in which this Act vests such function after such transfer.

SEPARABILITY

SEC. 8. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances shall not be affected thereby.

CODIFICATION

SEC. 9. The Secretary is directed to submit to the Congress within two years from the effective date of this Act, a proposed codification of all laws that contain the powers, duties, and functions transferred to or vested in the Secretary or the Department by this Act.

EFFECTIVE DATE; INITIAL APPOINTMENT OF OFFICERS

SEC. 10. (a) This Act shall take effect ninety days after the Secretary first takes office, or on such prior date after enactment of this Act as the President shall prescribe and publish in the Federal Register.

(b) Any of the officers provided for in this Act may (notwithstanding subsection (a)) be appointed in the manner provided for in this Act, at any time after the date of enactment of this Act. Such officers shall be compensated from the date they first take office, at the rates provided for in this Act. Such compensation and related expenses of their offices shall be paid from funds available for the functions to be transferred to the Department pursuant to this Act.

CONFORMING AMENDMENTS TO OTHER LAWS

SEC. 11. (a) Section 19(d)(1) of title 3, United States Code, as amended, is hereby amended by striking out the period at the end thereof and inserting a comma and the following: "Secretary of Environmental Quality."

(b) Section 101 of title 5 of the United States Code, as amended, is amended by inserting at the end the following:

"The Department of Environmental Quality."

(c) The amendment made by subsection (b) of this section shall not be construed to make applicable to the Department any provision of law inconsistent with this Act.

(d) Subchapter II (relating to Executive Schedule pay rates) of chapter 53 of title 5 of the United States Code, as amended, is amended as follows:

(1) Section 5312 is amended by adding at the end thereof the following:

"(13) Secretary of Environmental Quality."

(2) Section 5313 is amended by adding at the end thereof the following:

"(21) Under Secretary of Environmental Quality."

(3) Section 5314 is amended by adding at the end thereof the following:

"(55) Administrator, Federal Water Quality Control Administration."

"(56) Administrator, National Air Quality Control Administration."

"(57) Administrator, Environmental Protection Administration."

(4) Section 5315 is amended by adding at the end thereof the following:

"(93) Assistant Secretaries of Environmental Quality (3)."

(5) Section 5316 is amended by adding at the end thereof the following:

"(130) Assistant Secretary for Administration, Department of Environmental Quality."

"(131) General Counsel, Department of Environmental Quality."

"(132) Deputy Administrators, Department of Environmental Quality (15)."

(6) Section 5317 is amended by striking

out in the note thereunder "Commissioner, Federal Water Pollution Control Administration, Department of the Interior."

ABOLITIONS

SEC. 12. Subject to the provisions of section 10 of this Act, the following, exclusive of any functions, are hereby abolished:

(1) The Federal Water Quality Administration in the Department of the Interior (33 U.S.C. 466-1); and

(2) The Federal Radiation Council (73 Stat. 690; 42 U.S.C. 2021(h)).

The CHAIRMAN. The time of the gentleman has expired.

Mr. ERLÉNBOURN. Mr. Chairman, I yield 1 additional minute to the gentleman from Michigan.

Mr. DINGELL. I thank the gentleman for yielding me the additional time.

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

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

Mr. KYL. Since the gentleman has commented on the other side of this coin, I would like to ask this question:

What legislative committee of the Congress will now be responsible for the authorization to cover the acts contemplated in this measure?

Mr. DINGELL. I would say this, that the different statutes and the different functions which are transferred over to administer the new agency will probably remain in the existing committee structure of the Congress. I doubt very much if that would be particularly impaired. But I would urge on my colleagues that we would be far better off to do this by legislation which would come out of the same committee that has given us this outrage, and this abomination, and give to the Members who oppose it an opportunity to amend it in a calm, serene, and deliberate fashion.

Mr. KYL. I thank the gentleman.

Mr. DINGELL. I yield back the balance of my time.

Mr. ERLÉNBOURN. Mr. Chairman, I yield 2 minutes to the gentleman from California (Mr. DON H. CLAUSEN).

Mr. DON H. CLAUSEN. Mr. Chairman, I wonder if I could have the attention of the gentleman from California (Mr. HOLIFIELD), the chairman of the committee, to further discuss the comments that have been made by the gentleman from Michigan (Mr. DINGELL), since this relates to the question of committee jurisdiction over the legislation.

Does the gentleman see any changes in the jurisdictional control by the committees that now handle environmental quality programs as proposed by the Executive and/or our colleagues?

For instance, in our case, in the Rivers and Harbors Committee, we have been handling, routinely, the water pollution and water quality legislation. Will this remain under the jurisdiction of the Committee on Rivers and Harbors?

Mr. HOLIFIELD. Mr. Chairman, in my opinion the statutes that have created these entities will remain in the jurisdictional control of the committees that created them. There is no place that I know of in the plan where the statutes are transferred, the functions under the statutes are transferred.

I would also like to answer a question

here that was asked me by the gentleman from Washington (Mrs. HANSEN) who unfortunately cannot be here today, but who asked me by phone. She was particularly concerned about the control of the appropriations for the Bureau of Commercial Fisheries being taken away from her subcommittee on appropriations. My answer to her was that in my opinion the control of the assignment of appropriations jurisdictions would still remain in the chairman of the Committee on Appropriations, and I can see nothing in this plan that would cause her jurisdictional control on appropriations for the Bureau of Commercial Fisheries to be transferred. And that would apply to all other statutes and all other commissions.

Mr. DON H. CLAUSEN. I thank the gentleman for his response because I think it is important to make this legislative history at this point, because there will be lots of people asking that question.

Mr. HOLIFIELD. I think that that is a good question, and I have answered it to the best of my knowledge on the subject matter. Previous reorganization plans did not transfer statutory control out of the jurisdiction of the committees, nor the appropriation committees or committee chairmen.

Mr. DON H. CLAUSEN. I think that by and large most people tend to agree that a committee that works in a given field tends to develop substantially more expertise than would other committees, so that is quite natural and understandable, and is the reason for my concern in this matter, and the reason for the question.

Mr. HOLIFIELD. The establishment of a new department, like the Department of Transportation, for instance, is by regular statute. That is a different situation than obtains in a reorganization plan.

Mr. DON H. CLAUSEN. I thank the gentleman for his response.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise in strong opposition to House Resolution 1209 to disapprove Reorganization Plan No. 3 of 1970. This bold and sweeping reform plan advanced by President Nixon would bring under the roof of a new Environmental Protection Agency a myriad of Government activities for the purpose of waging an all-out coordinated attack on air, land, and water pollution.

In his message to the Congress on July 9, 1970, President Nixon explained the need for a new central agency to deal with the environment in these terms:

Our National Government today is not structured to make a coordinated attack on the pollutants which debase the air we breathe, the water we drink, and the land that grows our food. Indeed, the present governmental structure for dealing with environmental pollution often defies effective and concerted action. Despite its complexity, for pollution control purposes the environment must be perceived as a single, interrelated system. Present assignments of departmental responsibilities do not reflect this interrelatedness.

Simply speaking, Reorganization Plan No. 3 recognizes the inadequacies of the current proliferation of pollution func-

tions within the Federal Government, and seeks to rectify them by bringing together these scattered components under the umbrella of a new Environmental Protection Agency. The principal roles and functions of this new agency, EPA, would include the establishment and enforcement of environmental protection standards, conducting research on the adverse effects of pollution and methods and equipment for controlling it, assisting others in combatting pollution through grants and technical assistance, and working closely with the Council on Environmental Quality in formulating new policies for environmental protection.

Mr. Chairman, I realize that there is some opposition to this new reorganization plan for various reasons. There are those who question the need for both an Environmental Protection Agency and a Council on Environmental Quality, suggesting that there might be a duplication of responsibilities and functions. I think the President handled this question quite well in his message by pointing out that the Council will continue to serve in an advisory capacity to the President on broad policy questions, while the Agency will serve as the actual operating arm of the Federal Government in our overall efforts to combat pollution and protect the environment.

There are others who criticize this plan on the grounds that it is not as comprehensive or all-inclusive as it should be. Many of these critics favor instead a Department of the Environment or a Department of Natural Resources, or a combination of the two. While this proposal may have some merit and should not be rejected out of hand, I firmly believe that we should think twice before creating a new super-bureaucracy along the lines of HEW which every Secretary to date has, in frustration, referred to as an unmanageable monster. Such a proposal could well prove to be counterproductive if it turned out that we had assigned the vital mission of managing the environment to an unmanageable monster.

For these reasons, I strongly support the creation of an Environmental Protection Agency as embodied in Reorganization Plan No. 3. In this proposal we have a realistic and manageable approach to environmental protection. In this proposal we have an agency with clearly delineated duties, responsibilities, and authority. And in this proposal we have what I feel is the best possible approach to waging the type of coordinated attack on pollution which is so necessary if we are to preserve, protect, and restore our environment.

Finally, Mr. Chairman, in this proposal I think we have the embodiment of what we are striving for in both a decade of reform and a decade of the environment.

Mr. DERWINSKI. Mr. Chairman, it is elementary commonsense to coordinate all Federal programs related to curbing pollution and its causes. Therefore, I support Reorganization Plan No. 3, which would form a new Environmental Protection Agency.

Mr. Chairman, I personally assign extremely high priority to the battle

against pollution and believe that we are taking a constructive step this afternoon in supporting Reorganization Plan No. 3.

Mr. BLATNIK. Mr. Chairman, I think it is important that we take note of certain aspects of Reorganization Plan No. 3, which, to my mind, causes it to be found wanting. The plan sets up an Environmental Protection Agency, a very high sounding title that I am afraid may give a misleading impression to the public of just what this new agency can do. There is no doubt that we need a greater focus within the Government on the problems of our environment. This is one of the most important issues of the times. I favor a meaningful reorganization of environmental activities—but this plan does not provide it.

First of all the plan is extremely limited in scope. It takes the largest and most effective program that we have—water pollution abatement—and adds to it air pollution and a few other less significant activities—in terms of dollars being spent—and implies that this agency will control the environment. We all know that there is much more involved in the environment than this.

Meaningful environmental protection surely includes the water and sewer programs now in the Department of Housing and Urban Development. But they should be in this plan. Unfortunately, EPA, as constituted is not adequate even to administer the water program which itself is underfunded and barely holding the line in relationship to the need.

How about aircraft noise? This is a major problem of the environment; but it is not in the plan. It is still in the Department of Transportation. What about oil spills? What about the management of our public lands and forests? What about the environmental pollution caused by the numerous Federal installations spread throughout the land?

Why are all of these important and pertinent programs left out of this widely heralded Environmental Protection Agency? Frankly, I cannot understand why a so-called reorganization to improve our attack on environmental problems would take just the minimum step, as this does, instead of bringing together a significant number of these activities.

Could it be in the way this plan was developed? As I understand it, the plan was prepared by the President's Advisory Council. But I have not been able to find out who was consulted in its drafting. Certainly, those of us in the House who have labored for so many years to develop environmental programs, and who have gained considerable experience in this field were not consulted. If we had been, I think a far better reorganization plan than plan No. 3 could have been put together. I do not wish to criticize the Advisory Council but there must have been poor staff work along the line.

Even this limited plan could well cause confusion in its administration. We have not been given a clear understanding of the distinction between the new EPA and the Council on Environmental Quality. We were told that the Council makes governmentwide policy and EPA will be an operating agency for the programs which will be assigned to it. But I must

say this is rather unusual in the Government for one agency to make policy and for another to carry it out. I suspect that considerable confusion will arise over the respective roles of these two groups.

The task of a proper reorganization is so great that it should be undertaken by legislation rather than by a reorganization plan. To follow through on this, a bill has already been introduced by several of my colleagues Congressmen Moss, DINGELL, REUSS and myself—H.R. 19195—which provides a basis for our work. This is preliminary effort and the subcommittee will begin a detailed consideration of this legislation, obtaining all of the necessary background materials and information. I have directed our staff to draw upon all sources and accumulate a complete study of knowledge.

I believe, in this way, that an organization which will truly contribute to the solution of our environmental problems can be produced.

I have tried to make my criticism of plan No. 3 in a positive manner and call upon all Members, industry groups, and interested citizens for their thoughts and suggestions.

The text of H.R. 19195, which creates a Department of Environmental Quality, follows:

H.R. 19195

A bill to establish a Department of Environmental Quality, and for other purposes

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 "Department of Environmental Quality Act".

DECLARATION OF PURPOSE

SEC. 2. (a) The Congress hereby declares that—

(1) the public health, general welfare, and economic growth and stability of the Nation is dependent on the continued availability of unpolluted air and water—our irreplaceable resources; and

(2) high-density urbanization, industrial development and expansion, population growth and concentrations, resource exploitation, and new and expanding technological advances, together with the lack of adequate consideration given by public and private agencies and individuals to the impact of these activities on the total environment, has resulted in mounting dangers to the public health and welfare and our environment.

(b) (1) The Congress therefore finds that the establishment of a Department of Environmental Quality is necessary in the public interest and to protect the public health; to assure the coordinated, effective protection and enhancement of the quality of the environment; to facilitate a coordinated, effective attack on the pollutants which debase the air we breathe, the water we drink and use for recreation and agricultural purposes, and the land that supplies our food and supports our wildlife; to encourage and foster cooperation of Federal, State, and local agencies and foreign governments and private organizations and agencies and individuals toward the prompt achievement of the national environmental quality protection and enhancement objectives set forth in this Act and many other statutes; to stimulate technological advances in pollution control and prevention and environmental protection and enhancement; to provide general leadership nationally and internationally in the identification and solution of environmental problems; and to develop, further define, and to recommend to the President

and the Congress new and improved programs, including the adequate financing of such programs and existing programs, and to accomplish these objectives with full and appropriate consideration of the need to encourage the growth and development of the Nation, to improve the daily lives of all of the people of the Nation, and to preserve our national security.

(2) It is hereby declared to be the national policy that the prevention of air and water pollution and the protection and enhancement of the total environment in productive harmony with the social, economic, and other requirements of present and future generations of Americans is in the paramount interest of the United States.

ESTABLISHMENT OF DEPARTMENT

SEC. 3. (a) There is hereby established at the seat of Government an executive department to be known as the Department of Environmental Quality (hereafter referred to in this Act as the "Department"). There shall be at the head of the Department a Secretary of Environmental Quality (hereafter referred to in this Act as the "Secretary"), who shall be appointed by the President, by and with the advice and consent of the Senate.

(b) There shall be in the Department an Under Secretary, who shall be appointed by the President, by and with the advice and consent of the Senate. The Under Secretary (or, during the absence or disability of the Under Secretary, or in the event of a vacancy in the office of Under Secretary, an Assistant Secretary or the General Counsel, determined according to such order as the Secretary shall prescribe) shall act for, and exercise the powers of the Secretary, during the absence or disability of the Secretary or in the event of a vacancy in the office of Secretary. The Under Secretary shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.

(c) There shall be in the Department three Assistant Secretaries and a General Counsel who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time. The Assistant Secretaries shall be: for air and water pollution control; for environmental protection; and for international affairs.

(d) There shall be in the Department an Assistant Secretary for Administration, who shall be appointed, with the approval of the President, by the Secretary under the classified civil service who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time.

(e) There is hereby established within the Department a Federal Water Quality Control Administration; a National Air Quality Control Administration; and an Environmental Protection Administration. Each of these components shall be headed by an Administrator. In the case of each Administration, there shall be five Deputy Administrators appointed by the Secretary: for Research and Development; for Loans and Grants; for Standards and Regulations Development and Intergovernmental Coordination; for Enforcement; and for Administration and Public Information. The Administrators shall be appointed by the President, by and with the advice and consent of the Senate.

(f) In addition to such functions, powers, and duties specified in this Act to be carried out by the Administrators, they shall carry out such other functions, powers, and duties as the Secretary may prescribe. The Administrators shall report to the Secretary through the applicable Assistant Secretary and the Under Secretary. Each Deputy Administrator (according to such order as the appropriate Administrator shall prescribe) shall act for, and exercise the duties of, the

appropriate Administrator during his absence or disability. Each Administrator shall prescribe the functions, powers, and duties of each of his Deputy Administrators.

(g) The functions, powers, and duties as are specified in this Act to be carried out by an Administrator shall not be transferred elsewhere in the Department unless specifically provided for by reorganization plan submitted pursuant to provisions of chapter 9 of title 5, United States Code, or by Act of Congress enacted after the effective date of this Act.

TRANSFER TO DEPARTMENT

SEC. 4. There are hereby transferred to the Secretary to be administered by him through the Administrator of the Federal Water Quality Control Administration all functions, powers, and duties of the Secretary of the Interior and other offices and officers of the Department of the Interior administered:

(1) by him or by the Federal Water Quality Administration pursuant to (A) the Federal Water Pollution Control Act, as amended, (B) Reorganization Plan Numbered 2 of 1966 (80 Stat. 1608), and (C) section 169(d) (1)(B) and (3) of the Internal Revenue Code of 1954, as amended, but shall not include the functions of the Bureau of Reclamation under section 3(b) (1) of the Federal Water Pollution Control Act, as amended; and

(2) by the Water Resources Division of the Geological Survey, including, but not limited to, the water monitoring functions of the Geological Survey.

(b) There are hereby transferred to the Secretary to be administered by him through such Administrator all functions, powers, and duties of the:

(1) Secretary of Agriculture administered by him through the Farmers Home Administration insofar as such functions, powers, and duties relate to water and sewer facilities; and

(2) Secretary of Housing and Urban Development, the Secretary of Commerce, and the Appalachian Regional Commission insofar as such functions, powers, and duties relate to water and sewer facilities.

(c) (1) There are hereby transferred to the Secretary to be administered by him through the Administrator of the National Air Quality Control Administration all functions, powers, and duties of the Secretary of Health, Education, and Welfare under the Clean Air Act, as amended, and section 169(d) (1) (B) and (3) of the Internal Revenue Code of 1954, as amended.

(2) There are hereby transferred to the Secretary to be administered by him the Air Quality Advisory Board established by section 110 of the Clean Air Act, as amended.

(d) There are hereby transferred to the Secretary to be administered by him through the Administrator of the Environmental Protection Administration all functions, powers, and duties of the:

(1) Secretary of the Interior (A) under the Act of August 1, 1958, as amended (16 U.S.C. 742d-1), relating to studies of effects of insecticides, herbicides, fungicides, and pesticides, (B) which are administered by him through the Gulf Breeze Biological Laboratory, and (C) which are administered by him through the Bureau of Mines insofar as such functions, powers, and duties relate to solid waste management;

(2) Secretary of Health, Education, and Welfare which are administered by him through the Bureau of Solid Waste Management, the Bureau of Water Hygiene, and the Bureau of Radiological Health and which are vested in him for establishing tolerances for pesticide chemicals under the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 346, 346a, and 349) together with authority, in connection with the functions transferred, (A) to monitor compliance with the tolerances and the effectiveness of sur-

veillance and enforcement, and (B) to provide technical assistance to the States and conduct research under the Federal Food, Drug, and Cosmetic Act, as amended, and the Public Health Service Act, as amended, except that those functions, powers, and duties carried out by the Environmental Control Administration of the Environmental Health Service through the Bureau of Community Environmental Management, the Bureau of Occupational Safety and Health, and the Bureau of Radiological Health, are not so transferred insofar as those functions, powers, and duties carried out by the latter Bureau pertain solely to (A) regulation of radiation from consumer products, including electronic product radiation, (B) radiation as used in the hearing arts, (C) occupational exposures to radiation, and (D) research, technical assistance, and training related to such clauses (A), (B), and (C);

(3) Secretary of Agriculture (A) under the Federal Insecticide, Fungicide, and Rodenticide Act, as amended (7 U.S.C. 135-135k), under section 408(1) of the Federal Food, Drug, and Cosmetic Act, as amended (21 U.S.C. 346a(1)), and (B) which are administered through the Environmental Quality Branch of the Plant Protection Division of the Agricultural Research Service;

(4) Secretary of Transportation with respect to, and being administered by him, through the Office of Noise Abatement;

(5) Federal Radiation Council under section 274 of the Act of August 1, 1946, as amended (42 U.S.C. 2021(h)); and

(6) Atomic Energy Commission under the Atomic Energy Act of 1954, as amended, which are administered through the Division of Radiation Protection Standards, to the extent that such functions, powers, and duties consist of establishing and enforcing environmental standards and safeguards for the protection of the general environment from radioactive material which standards are defined to mean: limits on radiation exposures or levels, or concentrations of or quantities of radioactive material, in the general environment outside the boundaries of locations under the control of persons possessing or using radioactive material.

(e) The Secretary, in administering the programs transferred under this section, shall coordinate his activities with those of the departments and agencies which administer such programs prior to the effective date of this Act.

(f) Within one hundred and eighty days after the effective date of this Act, the President may transfer to the Secretary any function of any other agency or office or part thereof if the President determines that such function relates to functions transferred to the Secretary under this section.

ADMINISTRATIVE PROVISIONS

SEC. 5. (a) In addition to the authority contained in any other Act which is transferred to, and vested in, the Secretary, he or any other officer of the Department may, subject to the civil service and classification laws, select, appoint, employ, and fix the compensation of such officers and employees, including investigators, attorneys, and hearing examiners, as are necessary to carry out the provisions of this Act and to prescribe their authority and duties.

(b) The Secretary may obtain services as authorized by section 3109 of title 5 of the United States Code, but at rates not to exceed \$100 per diem for individuals unless otherwise specified in an appropriation Act.

(c) (1) Except where this Act vests in any administration, agency, or board, specific functions, powers, and duties, the Secretary may, in addition to the authority to delegate and redelegate contained in any other Act in the exercise of the functions transferred to or vested in the Secretary in this Act, delegate any of his residual functions, powers,

and duties to such officers and employees of the Department as he may designate, may authorize such successive redelegations of such functions, powers, and duties as he may deem desirable, and may make such rules and regulations as may be necessary to carry out his functions, powers, and duties.

(2) In addition to the authority to delegate and redelegate contained in any other Act, in the exercise of the functions transferred to or specified by this Act to be carried out by any officer in the Department, such officer may delegate any of such functions, powers, and duties to such other officers and employees of the Department as he may designate; may authorize such successive redelegations of such functions, powers, and duties as he deems desirable; and may make such rules and regulations as may be necessary to carry out such functions, powers, and duties.

(d) The Secretary is authorized to establish a working capital fund, to be available without fiscal year limitation, for expenses necessary for the maintenance and operation of such common administrative services as he shall find to be desirable in the interest of economy and efficiency in the Department, including such services as a central supply service for stationery and other supplies and equipment for which adequate stocks may be maintained to meet in whole or in part the requirements of the Department and its agencies; central messenger, mail, telephone, and other communications services; office space, central services for document reproduction, and for graphics and visual aids; and a central library service. The capital of the fund shall consist of any appropriations made for the purpose of providing capital (which appropriations are hereby authorized) and the fair and reasonable value of such stocks of supplies, equipment, and other assets and inventories on order as the Secretary may transfer to the fund, less the related liabilities and unpaid obligations. Such funds shall be reimbursed in advance from available funds of agencies and offices in the Department, or from other sources, for supplies and services at rates which will approximate the expense of operation, including the accrual of annual leave and the depreciation of equipment. The fund shall also be credited with receipts from sale or exchange of property and receipts in payment for loss or damage to property owned by the fund. There shall be covered into the United States Treasury as miscellaneous receipts any surplus found in the fund (all assets, liabilities, and prior losses considered) above the amounts transferred or appropriated to establish and maintain said fund.

(e) The Secretary shall cause a seal of office to be made for the Department of such device as he shall approve, and judicial notice shall be taken of such seal.

(f) In addition to the authority contained in any other Act which is transferred and vested in the Secretary, he or any other officer of the Department, as necessary and when not otherwise available, is authorized to provide for, construct, or maintain the following for employees and their dependents stationed at remote localities:

- (1) emergency medical services and supplies;
- (2) food and other subsistence supplies;
- (3) messing facilities;
- (4) motion picture equipment and film for recreation and training;
- (5) reimbursement for food, clothing, medicine, and other supplies furnished by such employees in emergencies for the temporary relief of distressed persons; and
- (6) living and working quarters and facilities.

The furnishing of medical treatment under clause (1) and the furnishing of services and supplies under clauses (2) and (3) of this subsection shall be at prices reflecting rea-

sonable value, as determined by the Secretary, and the proceeds therefrom shall be credited to the appropriation from which the expenditure was made.

(g) (1) The Secretary is authorized to accept, hold, administer, and utilize gifts and bequests of property, both real and personal, for the purpose of aiding or facilitating the work of the Department. Gifts and bequests of money and the proceeds from sales of other property received as gifts or bequests shall be deposited in the Treasury in a separate fund and shall be disbursed upon order of the Secretary for carrying out the missions of the Department. Property accepted pursuant to this paragraph, and the proceeds thereof, shall be used as nearly as possible in accordance with the terms of the gift or bequest.

(2) For the purpose of Federal income, estate, and gift taxes, property accepted under paragraph (1) shall be considered as a gift or request to or for use of the United States.

(h) The Secretary is authorized to appoint, without regard to the civil service laws, such advisory committees as shall be appropriate for the purpose of consultation with, and advice to, the Department in performance of its functions. Such committees shall include members who are drawn from the general public and environmental organizations. Members of such committees, other than those regularly employed by the Federal Government, while attending meetings of such committees or otherwise serving at the request of the Secretary, may be paid compensation at rates not exceeding those authorized for individuals under subsection (b) of this section, and while so serving away from their homes or regular places of business, may be allowed travel expenses, including per diem in lieu of subsistence as authorized by section 5703 of title 5, United States Code, for persons in the Government service employed intermittently.

(i) (1) The Secretary is authorized to enter into contracts with educational institutions, public or private agencies or organizations, or persons for the conduct of scientific or technological research into any aspect of the problems related to the programs of the Department which are authorized by statute.

(2) The Secretary shall require a showing that the institutions, agencies, organizations, or persons with which he expects to enter into contracts pursuant to this subsection have the capability of doing effective work. He shall furnish such advice and assistance as he believes will best carry out the mission of the Department, participate in coordinating all research initiated under this subsection, indicate the lines of inquiry which seems to him most important, and encourage and assist in the establishment and maintenance of cooperation by and between the institutions, agencies, organizations, or persons and between them and other research organizations, the Department, and other Federal agencies.

(3) The Secretary may from time to time disseminate in the form of reports or publications to public or private agencies or organizations, or individuals, such information as he deems pertinent on the research carried out pursuant to this section.

(4) Nothing contained in this subsection is intended to amend, modify, or repeal any provisions of law administered by the Department which authorize the making of contracts for research.

(j) No research, demonstrations, or experiments shall, after the effective date of this Act, be carried out, contracted for, sponsored, cosponsored or authorized under authority of the Act or any other law transferred to, and vested in, the Secretary, unless all information, uses, products, processes, patents and other developments resulting from such research, demonstrations, or experiments will (with such exception and

limitation, if any, as the Secretary may find to be necessary in the public interest) be available to the general public.

(k) (1) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with the functions transferred to the Secretary of the department by this Act as the Director of the Office of Management and Budget shall determine shall be transferred to the agency at such time or times as the Director shall direct.

(2) Such further measures and dispositions as the Director of the Office of Management and Budget shall deem to be necessary in order to effectuate the transfers referred to in paragraph (1) of this subsection shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

(1) The Administrators appointed under this Act shall be compensated at the rate now or hereafter provided for level V of the Executive Schedule pay rates (5 U.S.C. 5314) and the Deputy Administrator appointed under this Act shall be compensated at the rate now or hereafter provided for level V of the Executive Schedule pay rates (5 U.S.C. 5315).

ANNUAL REPORT

SEC. 6. The Secretary shall, as soon as practicable after the end of each fiscal year, make a report in writing to the President and to the Congress on the activities of the Department during the preceding fiscal year.

SAVINGS PROVISION

SEC. 7. (a) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges—

(1) which have been issued, made, granted, or allowed to become effective—

(A) under any provision of law amended by this Act, or

(B) in the exercise of duties, powers, or functions which are transferred under this Act, by (1) any department or agency, any functions of which are transferred by this Act, or (ii) any court of competent jurisdiction, and

(2) which are in effect at the time this Act takes effect, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Secretary, Administrators, Board, or General Counsel (in the exercise of any authority respectively vested in them by this Act), by any court of competent jurisdiction, or by operation of law.

(b) The provisions of this Act shall not affect any proceedings pending at the time this section takes effect before any department or agency (or component thereof), functions of which are transferred by this Act; but such proceedings, to the extent that they relate to functions so transferred, shall be continued before the Department or agency before which they were pending at the time of such transfer. In either case orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or repealed by the Secretary, Administrators, Board, or General Counsel (in the exercise of any authority respectively vested in them by this Act), by a court of competent jurisdiction, or by operation of law.

(c) (1) Except as provided in paragraph (2)—

(A) the provisions of this Act shall not affect suits commenced prior to the date this section takes effect, and

(B) in all such suits proceedings shall be had, appeals taken, and judgments rendered,

in the same manner and effect as if this Act had not been enacted.

No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of any department or agency, functions of which are transferred by this Act, shall abate by reason of the enactment of this Act. No cause of action by or against any department or agency, functions of which are transferred by this Act, or by or against any officer thereof in his official capacity shall abate by reason of the enactment of this Act. Causes of actions, suits, actions, or other proceedings may be asserted by or against the United States or such official of the Department as may be appropriate and, in any litigation pending when this section takes effect, the court may at any time, on its own motion or that of any party, enter an order which will give effect to the provisions of this subsection.

(2) If before the date on which this Act takes effect, any department or agency, or officer thereof in his official capacity, is a party to a suit, and under this Act—

(A) Such department or agency is transferred to the Secretary, or

(B) any function of such department, agency, or officer is transferred to the Secretary,

then such suit shall be continued by the Secretary (except in the case of a suit not involving functions transferred to the Secretary, in which case the suit shall be continued by the department, agency, or officer which was a party to the suit prior to the effective date of this Act).

(d) With respect to any function, power, or duty transferred by this Act and exercised after the effective date of this Act, reference in any other Federal law to any department or agency, officer or office so transferred or functions of which are so transferred shall be deemed to mean the officer or agency in which this Act vests such function after such transfer.

SEPARABILITY

SEC. 8. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances shall not be affected thereby.

CODIFICATION

SEC. 9. The Secretary is directed to submit to the Congress within two years from the effective date of this Act, a proposed codification of all laws that contain the powers, duties, and functions transferred to or vested in the Secretary or the Department by this Act.

EFFECTIVE DATE; INITIAL APPOINTMENT OF OFFICERS

SEC. 10. (a) This Act shall take effect ninety days after the Secretary first takes office, or on such prior date after enactment of this Act as the President shall prescribe and publish in the Federal Register.

(b) Any of the officers provided for in this Act may (notwithstanding subsection (a)) be appointed in the manner provided for in this Act, at any time after the date of enactment of this Act. Such officers shall be compensated from the date they first take office, at the rates provided for in this Act. Such compensation and related expenses of their offices shall be paid from funds available for the functions to be transferred to the Department pursuant to this Act.

CONFORMING AMENDMENTS TO OTHER LAWS

SEC. 11. (a) Section 19(d) (1) of title 3, United States Code, as amended, is hereby amended by striking out the period at the end thereof and inserting a comma and the following: "Secretary of Environmental Quality".

(b) Section 101 of title 5 of the United

States Code, as amended, is amended by inserting at the end the following:

"The Department of Environmental Quality."

(c) The amendment made by subsection (b) of this section shall not be construed to make applicable to the Department any provision of law inconsistent with this Act.

(d) Subchapter II (relating to Executive Schedule pay rates) of chapter 53 of title 5 of the United States Code, as amended, is amended as follows:

(1) Section 5312 is amended by adding at the end thereof the following:

"(13) Secretary of Environmental Quality."

(2) Section 5313 is amended by adding at the end thereof the following:

"(21) Under Secretary of Environmental Quality."

(3) Section 5314 is amended by adding at the end thereof the following:

"(55) Administrator, Federal Water Quality Control Administration.

"(56) Administrator, National Air Quality Control Administration.

"(57) Administrator, Environmental Protection Administration."

(4) Section 5315 is amended by adding at the end thereof the following:

"(93) Assistant Secretaries of Environmental Quality (3)."

(5) Section 5316 is amended by adding at the end thereof the following:

"(130) Assistant Secretary for Administration, Department of Environmental Quality.

(131) General Counsel, Department of Environmental Quality.

"(132) Deputy Administrators, Department of Environmental Quality (15)."

(6) Section 5317 is amended by striking out in the note thereunder "Commissioner, Federal Water Pollution Control Administration, Department of the Interior."

ABOLITIONS

Sec. 12. Subject to the provisions of section 10 of this Act, the following, exclusive of any functions, are hereby abolished:

(1) The Federal Water Quality Administration in the Department of the Interior (33 U.S.C. 466-1); and

(2) The Federal Radiation Council (73 Stat. 690; 42 U.S.C. 2021(h)).

Mr. BROWN of Ohio. Mr. Chairman, current executive branch assignments relating to Federal environmental activities are now scattered among a number of departments and agencies and their assignments bear no resemblance to the interrelated problems of the environment which must be perceived as an interlocked challenge. Having developed piecemeal, responsibility for pollution control is divided primarily according to the medium in which the contaminant occurs although pollution from a single source may be present in them all.

I have looked at this problem from several different directions and from my own observation know that research, standard setting, and policy formulation do not occur on a comprehensive basis.

Water, air, solid waste disposal, and atomic powerplant pollution should be considered together.

In the enforcement area under the Clean Air Act, there is authority vested in the Secretary of Health, Education, and Welfare to set standards and engage in enforcement. As a member of the Interstate and Foreign Commerce Committee where this authority originated, I am very much interested in seeing it transferred to an agency where more concentrated administration and coordinated research can be conducted in as-

sociation with the more sophisticated research and standard setting already developed by the Water Quality Administration.

As a member of the Intergovernmental Relations Subcommittee of the Committee on Government Operations, I participated in a study of the Agricultural Research Service which disclosed the inability of the Department of Health, Education, and Welfare to get information out of the Agricultural Research Service that related the use of pesticides in which the Department of Health, Education, and Welfare was interested and over which the Agricultural Research Service had the licensing authority.

I have seen the frustrations experienced by industry and State and local governments who have had to deal with a fragmented Federal structure.

Therefore, I am delighted to see Reorganization Plan No. 3 of 1970 which would create a nucleus of research, standard setting and enforcement responsibilities in a single agency which will not be able to pass the buck to other agencies.

The standard-setting function is a critical factor in efforts to improve environmental quality and one should not underestimate its leverage. And standards must be based on sound research.

Others may question my terminology, but I look upon the Environmental Protection Agency as the beginning of a strong regulatory agency which should be expanded and strengthened with the inclusion of other environmental protection functions as time goes on. In some instances new legislation will be required and other laws will need revision since, pursuant to the reorganization provisions of 5 U.S.C. 901-913, a reorganization plan cannot create any new authorities or functions.

At the outset, the plan would combine the functions carried out by the Federal Water Quality Administration—FWQA—now in the Department of the Interior; the National Air Pollution Control Administration—NAPCA—parts of the Environmental Control Administration—ECA—and the pesticides research and regulatory programs of the Food and Drug Administration, all presently located in HEW; the pesticides registration and related authority of the Department of Agriculture; the environmental radiation protection standard-setting function of the AEC; the functions of the Federal Radiation Council; some of the pesticides research conducted by the Bureau of Commercial Fisheries; and authority to conduct ecological systems research, now vested in the Council on Environmental Quality.

One of the advantages that will accrue both to industry and to State and local governments, will be the ability to come to one place in the Federal Government concerned with most of the standard-setting that relates to pollution control. It is important that State and local governments, too, deal with the environment as an entity.

The Environmental Protection Agency will enable us to develop much more effective knowledge as to how to deal with pollution in the future. I believe it

will be much more effective than what we have had in the past and I view the prospect with enthusiasm.

Therefore, I urge a vote "no" on House Resolution 1209 in order that Reorganization Plan No. 3 of 1970 may become law.

Mr. ROBISON. Mr. Chairman, I am pleased to have the opportunity today to cast my vote for Mr. Nixon's Environmental Protection Agency, EPA, which I regard as an important step toward making protection of our environment and the elimination of pollution a high priority Federal matter. There are those who criticize the EPA as not going far enough; however, in their zeal to have total immediate reform, they miss the positive aspects of the President's proposal, and they forget that this represents the first administrative reorganization aimed at zeroing-in Federal efforts to improve the environment. The testimony before the House Committee on Government Operations clearly indicates that EPA's just the first of what is anticipated to be a series of steps in eventually bringing all environmental efforts together under one roof.

Rather than being negative—an attitude which we have used all too often in considering protection of the environment—let us look on the positive side of EPA and see what changes it makes. A most important step in the area of radiation standards is moving the Federal Radiation Council's present authority to set maximum permissible radiation-absorption standards to the administrator of the EPA. As a result, the Atomic Energy Commission will no longer have authority to determine at what levels a nuclear plant would operate, but rather that decision will be vested in the EPA. Certainly this is a needed change, given the difficult dual role heretofore occupied by the AEC—that of both promoting and regulating the use of atomic energy.

In the area of water quality, the Federal Water Quality Administration will be shifted intact from the Department of Interior to the EPA; thereby allowing another pollution control agency to be located within the EPA. Although this is the second move in a relatively short period of time for this key water agency, nevertheless I believe the move is justified in order to better focus all of our attention on pollution and pollution control.

Similarly, the National Air Pollution Control Administration, the Bureau of Solid Waste Management, the Bureau of Water Hygiene, part of the Bureau of Radiological Health, and much of the research on and controls over pesticides would be moved to the EPA.

In short, the President has taken important and innovative steps in focusing the attention and energies of one agency on the major environmental questions of our time.

There are some who would have preferred a department as opposed to an agency; there are some who would have suggested additional transfers to EPA; there are some who would have wished all of these pollution control efforts to be placed under Secretary Hickel's juris-

diction—indeed, I might have preferred such a move. But since this plan is an executive reorganization proposal, we can either approve it or disapprove it—we do not have the ability to amend it.

I think that there can be little doubt that on balance—and by a significant margin—the Environmental Protection Agency is a wise and much needed reorganization of Federal efforts, and I am pleased to have the opportunity to vote for it.

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

Mr. HOLIFIELD. Mr. Chairman, I have no further requests for time and, therefore, ask for a vote of "no" on the resolution. A vote of "no" would defeat the resolution of disapproval and allow the reorganization plan to go into effect. I, therefore, ask for a "no" vote on the resolution.

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

The Clerk read as follows:

H. Res. 1209

Resolved, That the House of Representatives does not favor the Reorganization Plan Numbered 3 of 1970 transmitted to the Congress by the President on July 9, 1970.

Mr. HOLIFIELD. Mr. Chairman, I move that the Committee do now rise and report the resolution back to the House, with the recommendation that the resolution be rejected.

The motion was agreed to.

Accordingly, the Committee rose; and the Speaker pro tempore (Mr. SISK) having assumed the Chair, Mr. ANDREWS of Alabama, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration House Resolution 1209, to disapprove Reorganization Plan No. 3, had directed him to report the resolution back to the House with the recommendation that the resolution be rejected.

The SPEAKER pro tempore. The question is on the resolution.

The question was taken.

The SPEAKER pro tempore. In the opinion of the Chair, the resolution, not having the affirmative vote of a majority of the authorized membership of the House, is not agreed to.

So the resolution was rejected.

GENERAL LEAVE TO EXTEND

Mr. HOLIFIELD. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the resolution just voted upon and include extraneous material.

The SPEAKER pro tempore. Without objection, it is so ordered.

There was no objection.

CONFERENCE REPORT ON S. 1933 RAILROAD SAFETY AND HAZARDOUS MATERIALS CONTROL

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the bill (S. 1933) to provide for Federal railroad

safety, hazardous materials control, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

Mr. HALL. Mr. Speaker, reserving the right to object, may I inquire if the papers are now actually in the possession of the House?

The SPEAKER pro tempore. The Chair would advise the gentleman that the papers are at the desk.

Mr. HALL. I thank the Chair.

Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the statement.

(For conference report and statements, see proceedings of the House of September 24, 1970.)

Mr. STAGGERS. Mr. Speaker, this bill was passed by the House on August 6 by record vote of 358 to 0. The major differences between the House and the Senate concern the question of whether this new Federal program would be enforced in the Federal courts by Federal attorneys or in State courts by State attorneys. In substance, the House conferees prevailed on this point. As the statement of managers shows, the States may act if the Federal Government does not act. The period in which the States' standby role would come into play was reduced from 180 days to 90 days and the States under the terms of the conference may seek penalties in addition to injunctive relief. All penalties would go into the Treasury.

In all other aspects the House version was agreed to by the Senate, and I urge adoption of the conference report.

Mr. Speaker, I yield to the gentleman from Ohio (Mr. DEVINE) whatever time he might require.

Mr. DEVINE. Mr. Speaker, I reiterate what the gentleman from West Virginia has said. There was no opposition in the conference committee on this report. Our conference came out quite well. We came to an agreement, and we recommend adoption of the conference report.

Mr. ROTH. Mr. Speaker, I rise to express my wholehearted support for the conference report of S. 1933 dealing with railroad safety and hazardous materials control. Previously, on August 6, I addressed the House on this same subject and urged support for this vital legislation. I noted that the cost both financial and human of railway accidents has been distressingly high and that the tremendous growth in the transportation by rail of flammable and explosive substances constitutes an extreme hazard to our population.

The laws on the books today, many of them half a century or more old, are obviously inadequate to cope with the growing number of accidents on railroads and even more inadequate to deal with the

menace of movements of hazardous materials. S. 1933 is intended to correct these inadequacies and I feel it will.

This conference report is a welcome step in that it also comes to grips with a railroad safety problem of vital concern to the people of Delaware—the high-speed rail line between Washington and New York.

Only last Thursday was the urgent need for improvement tragically underscored when a Metroliner train struck and killed a woman and her 5-month-old grandson she was carrying across the tracks at the Penn Central Station in Claymont, Del.

S. 1933 under title II, section 204, provides that the Secretary of Transportation shall prepare within 1 year after the date of enactment of this title, a comprehensive study of the problem of eliminating and protecting railroad grade crossings, including a study of measures to protect pedestrians in densely populated areas along railroad rights-of-way.

In addition the Secretary shall, using the authority of this title and his authority over transportation safety and highway construction, undertake a coordinated effort to develop and implement solutions to the grade crossing problem as well as to take measures to protect pedestrians in densely populated areas along railroad rights-of-way.

Last year, the House overwhelmingly passed the Federal-Aid Highway Act of 1969 which incorporated a legislative proposal which I had introduced to enable the Federal Government to financially assist the States concerned to remove all grade crossings along the high-speed rail line between Washington and New York. Unfortunately the Senate did not act upon this House passed bill.

I am pleased that similar proposals have again been included in the Federal-Aid Highway Act of 1970 (H.R. 19252) which was ordered reported favorably by the House Public Works Committee on Wednesday, September 23. Under this bill the Federal Government, through the Department of Transportation, would pay 90 percent of the costs in eliminating grade crossings across Federal highways and the railroads would pay 10 percent.

On State and local roads, the Federal Government would pay 80 percent, the States 10 percent, and the railroads 10 percent. I urge all my fellow Members of Congress to support these provisions to eradicate the dangers now present on the high-speed railway line.

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

The previous question was ordered.

The SPEAKER pro tempore (Mr. SISK). The question is on the conference report.

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

Mr. GERALD R. FORD. 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 312, nays 0, not voting 118, as follows:

[Roll No. 318]
YEAS—312

Abbutt	Evins, Tenn.	Madden
Abernethy	Fallon	Mahon
Addabbo	Fascell	Mailliard
Albert	Findley	Mann
Anderson, Ill.	Flood	Marsh
Anderson, Tenn.	Flowers	Matsunaga
Andrews, Ala.	Flynt	May
Annunzio	Foley	Mayne
Arends	Ford, Gerald R.	Meskill
Ashbrook	Fountain	Mikva
Ashley	Fraser	Miller, Ohio
Ayres	Frelinghuysen	Mills
Baring	Frey	Minish
Barrett	Fulton, Pa.	Mink
Beall, Md.	Fuqua	Mizell
Belcher	Garmatz	Montgomery
Bell, Calif.	Gaydos	Moorhead
Bennett	Glaimo	Morgan
Berry	Gibbons	Morse
Bevill	Gilbert	Morton
Biestler	Goldwater	Mosher
Bingham	Gonzalez	Murphy, Ill.
Blanton	Goodling	Myers
Boggs	Gray	Natcher
Brademas	Green, Oreg.	Nelsen
Brinkley	Griffiths	Nichols
Broomfield	Gross	Obey
Brotzman	Grover	O'Hara
Brown, Calif.	Gude	O'Konski
Brown, Mich.	Haley	O'Neal, Ga.
Brown, Ohio	Hall	O'Neill, Mass.
Broyhill, N.C.	Hamilton	Passman
Broyhill, Va.	Hammer-	Patman
Burke, Fla.	schmidt	Patten
Burke, Mass.	Hanley	Felly
Burlinson, Tex.	Hanna	Perkins
Burlinson, Mo.	Hansen, Idaho	Pettis
Burton, Calif.	Harrington	Philbin
Byrne, Pa.	Harsha	Pickle
Byrnes, Wis.	Harvey	Pike
Caffery	Hathaway	Poage
Camp	Hawkins	Podell
Carey	Hays	Pollock
Carter	Hechler, W. Va.	Preyer, N.C.
Chamberlain	Heckler, Mass.	Price, Ill.
Chappell	Helstoski	Price, Tex.
Clancy	Hicks	Fryor, Ark.
Clark	Hogan	Pucinski
Clausen, Don H.	Hollifield	Quie
Clawson, Del	Horton	Quillen
Clay	Hosmer	Rallsback
Cleveland	Howard	Randall
Cohelan	Hull	Rarick
Collier	Hunt	Reid, Ill.
Collins	Hutchinson	Reid, N.Y.
Colmer	Ichord	Reuss
Conable	Jacobs	Rhodes
Conte	Jarman	Riegle
Corbett	Johnson, Calif.	Rivers
Corman	Johnson, Pa.	Roberts
Coughlin	Jonas	Robison
Cowger	Jones, Ala.	Rodino
Culver	Jones, N.C.	Roe
Cunningham	Jones, Tenn.	Rogers, Colo.
Daniel, Va.	Kastenmeyer	Rogers, Fla.
Daniels, N.J.	Kazen	Rooney, N.Y.
Davis, Ga.	Kee	Rooney, Pa.
Davis, Wis.	Keith	Rosenthal
Delaney	King	Rostenkowski
Dellenback	Kluczynski	Roth
Denny	Koch	Roybal
Dent	Kuykendall	Ruppe
Derwinski	Kyl	Ruth
Devine	Kyros	Ryan
Dickinson	Langen	Sandman
Dingell	Latta	Satterfield
Donohue	Lennon	Saylor
Dorn	Lloyd	Scherle
Downing	Long, Md.	Schmitz
Duncan	Lujan	Schneebell
Dwyer	Lukens	Schwengel
Eckhardt	McCloskey	Scott
Edmondson	McCulloch	Sebelius
Edwards, Ala.	McDade	Shriver
Edwards, Calif.	McDonald,	Sikes
Edwards, La.	Mich.	Sisk
Erlenborn	McEwen	Skubitz
Eshleman	McFall	Slack
Evans, Colo.	McMillan	Smith, Calif.
	Macdonald,	Smith, Iowa
	Mass.	

Smith, N.Y.	Ullman	Williams
Springer	Van Deerlin	Wilson
Stafford	Vander Jagt	Charles H.
Staggers	Vanik	Winn
Stanton	Vigorito	Wold
Steed	Waggoner	Wolf
Steiger, Ariz.	Waldie	Wyatt
Steiger, Wis.	Wampler	Wydler
Stuckey	Whalen	Wylie
Sullivan	Whalley	Wyman
Taylor	White	Yates
Teague, Tex.	Whitehurst	Yatron
Thompson, Ga.	Whitten	Young
Thomson, Wis.	Widnall	Zion
Tiernan	Wiggins	

NAYS—0

NOT VOTING—118

Adair	Feighan	Mollohan
Adams	Fish	Monagan
Alexander	Fisher	Moss
Anderson, Calif.	Ford,	Murphy, N.Y.
Andrews, N. Dak.	William D.	Nedzi
Aspinall	Foreman	Nix
Betts	Friedel	Olsen
Blaggi	Fulton, Tenn.	Ottinger
Blackburn	Gallifanakis	Pepper
Blatnik	Gallagher	Pirnle
Boland	Gettys	Powell
Bolling	Green, Pa.	Purcell
Bow	Griffin	Rees
Brasco	Gubser	Reifel
Bray	Hagan	Roudebush
Brook	Halpern	Rousselot
Brooks	Hansen, Wash.	St Germain
Buchanan	Hastings	Schadeberg
Burton, Utah	Hébert	Scheuer
Bush	Henderson	Shiely
Button	Hungate	Snyder
Cabell	Karth	Stephens
Casey	Kleppe	Stokes
Cederberg	Landgrebe	Stratton
Celler	Landrum	Stubblefield
Chisholm	Leggett	Symington
Conyers	Long, La.	Taft
Cramer	Lowenstein	Talcott
Crane	McCarthy	Teague, Calif.
Daddario	McClary	Thompson, N.J.
Dawson	McClure	Tunney
de la Garza	McKneally	Udall
Dennis	MacGregor	Watson
Diggs	Martin	Watts
Dowdy	Mathias	Weicker
Dulski	Meeds	Wilson, Bob
Ellberg	Melcher	Wright
Esch	Michel	Zablocki
Farbstein	Miller, Calif.	Zwach
	Minshall	
	Mize	

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Thompson of New Jersey with Mr. Kleppe.
 Mr. Brooks with Mr. Bush.
 Mr. Hébert with Mr. Watson.
 Mr. Ellberg with Mr. McClary.
 Mr. Dowdy with Mr. Crane.
 Mr. Daddario with Mr. Adair.
 Mr. Monagan with Mr. Pirnle.
 Mr. Ottinger with Mr. MacGregor.
 Mr. Pepper, with Mr. Reifel.
 Mr. St Germain with Mr. Cramer.
 Mr. Blatnik with Mr. Michel.
 Mr. Brasco with Mr. McKneally.
 Mr. Karth with Mr. Taft.
 Mr. Long of Louisiana with Mr. Roudebush.
 Mr. Miller of California with Mr. Gubser.
 Mr. Olsen with Mr. Schadeberg.
 Mr. Gallifanakis with Mr. Brock.
 Mr. Henderson with Mr. Foreman.
 Mr. Cabell with Mr. Zwach.
 Mr. Casey with Mr. Rousselot.
 Mr. Aspinall with Mr. Weicker.
 Mr. Murphy of New York with Mr. Mize.
 Mr. Nedzi with Mr. Minshall.
 Mr. Purcell with Mr. Blackburn.
 Mr. Griffin of Mississippi with Mr. Esch.
 Mr. Fulton of Tennessee with Mr. Teague of California.
 Mr. Fisher with Mr. Snyder.
 Mr. Tunney with Mr. Conyers.
 Mr. McCarthy with Mr. Powell.
 Mr. Lowenstein with Mr. Diggs.
 Mr. Stratton with Mr. Nix.
 Mr. Rees with Mrs. Chisholm.

Mr. Anderson of California with Mr. Bob Wilson.
 Mr. Adams with Mr. Burton of Utah.
 Mr. Celler with Mr. Betts.
 Mr. Hagan with Mr. Dennis.
 Mr. Boland with Mr. Andrews of North Dakota.
 Mr. Blaggi with Mr. Bow.
 Mr. Duiski with Mr. Button.
 Mr. Gettys with Mr. Bray.
 Mr. Green of Pennsylvania with Mr. Landgrebe.
 Mr. Stephens with Mr. Mathias.
 Mr. Moss with Mr. Talcott.
 Mr. Zablocki with Mr. Hastings.
 Mr. Mollohan with Mr. McClure.
 Mr. William D. Ford with Mr. Cederberg.
 Mr. Gallagher with Mr. Stokes.
 Mr. Landrum with Mr. Buchanan.
 Mr. Watts with Mr. Halpern.
 Mr. Wright with Mr. Martin.
 Mr. Alexander with Mr. Meeds.
 Mr. Friedel with Mr. Fish.
 Mrs. Hansen of Washington with Mr. Symington.
 Mr. Melcher with Mr. Scheuer.
 Mr. Hungate with Mr. Udall.
 Mr. de la Garza with Mr. Farbstein.
 Mr. Feighan with Mr. Stubblefield.

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 conference report just agreed to.

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

There was no objection.

PERMISSION FOR COMMITTEE ON RULES TO FILE A SPECIAL REPORT

Mr. MADDEN. Mr. Speaker, by direction of the Committee on Rules, I ask unanimous consent that the Committee on Rules have until midnight tonight to file a brief special report.

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

There was no objection.

APPROVING REORGANIZATION PLAN NO. 4 OF 1970

Mr. HOLIFIELD. 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 House Resolution 1210, to disapprove Reorganization Plan No. 4; and pending that motion, Mr. Speaker, I ask unanimous consent that general debate on the resolution be limited to 1 hour, the time to be equally divided and controlled by the gentleman from Illinois (Mr. ERLÉN-BORN) and myself.

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

There was no objection.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of House Resolution 1210, with Mr. ANDREWS of Alabama in the chair.

The Clerk read the title of the resolution.

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

The CHAIRMAN. Under the unanimous-consent agreement, the gentleman from California (Mr. HOLIFIELD) will be recognized for 30 minutes and the gentleman from Illinois (Mr. ERLBORN) will be recognized for 30 minutes.

The Chair recognizes the gentleman from California.

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

Mr. Chairman, House Resolution 1210 would disapprove Reorganization Plan No. 4 of 1970 submitted by President Nixon to the Congress on July 9. The plan will create a National Oceanic and Atmospheric Administration within the Department of Commerce.

This plan was referred to the Committee on Government Operations where hearings were held by the Subcommittee on Executive and Legislative Reorganization, headed by the gentleman from Minnesota. Subsequently, the full committee considered the disapproval resolution and reported it to the House with the recommendation that it be not agreed to, thereby supporting the reorganization plan. The action of the committee was nearly unanimous.

NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION

Reorganization Plan No. 4 would establish a National Oceanic and Atmospheric Administration in the Department of Commerce whose mission would be to organize a unified approach to the problems of the ocean and the atmosphere. The new agency would be composed of:

First, the Environmental Science Services Administration which we created by reorganization plan in 1965 and which is already a part of the Department of Commerce;

Second, most of the Bureau of Commercial Fisheries, now in the Department of the Interior;

Third, the marine minerals technology program of the Bureau of Mines in the Department of the Interior;

Fourth, the marine sports fishing program of the Bureau of Sports Fisheries and Wildlife in the Department of the Interior;

Fifth, the Office of Sea Grant programs of the National Science Foundation; and

Sixth, elements of the U.S. Lake Survey of the Department of the Army.

Upon the establishment of NOAA, the following programs are to be transferred to it by executive action:

Seventh, the National Oceanographic Data and Instrumentation Centers of the Department of the Navy; and

Eighth, the national data buoy program of the Department of Transportation.

NOAA will have an estimated 1971 budget of about \$270 million and over 12,000 personnel. The President justifies the drawing together of these activities as making possible "a balanced Federal program to improve our understanding of the resources of the seas, and permit their development and use while guarding against the sort of thoughtless exploitation that in the past laid waste to so many of our precious natural assets." He said:

It would make possible a consolidated program for achieving a more comprehensive understanding of oceanic and atmospheric phenomena.

The new agency is a result of a recommendation of the Commission on Marine Science, Engineering, and Resources appointed by President Lyndon B. Johnson and headed by Dr. Julius Stratton. Apparently the Ash Council was not involved in this plan at all.

The principal opposition to Plan No. 4 seems to come from conservation groups who do not like to see the commercial or sports fishing programs removed from the Interior Department and put into Commerce. Essentially, they argue that the Interior Department has an orientation toward conservation and environmental protection whereas the Commerce Department is interested primarily in production and exploitation of resources. Congressman DINGELL, who is chairman of the Fish and Wildlife Subcommittee of the Committee on Merchant Marine and Fisheries, will express his views during this debate.

On the other hand, the Subcommittee on Oceanography of the Merchant Marine and Fisheries Committee supports the reorganization and its chairman testified during our hearings and will also give his views during this debate.

The committee took a very serious view of the objections that were expressed and we recognize that the Department of Commerce has not had an outstanding record of environmental protection. But, there does seem to be a certain logic in the grouping recommended and, as the President said, less dislocation would result from using Commerce as the dwelling place for the new agency.

We must remark again that additional high-level jobs are being created here and whatever benefit the plan may produce, it is not likely to be economy.

All in all, however, Plan No. 4 will help meet a most important objective in increasing our knowledge of the seas and the atmosphere and should be permitted to become law.

Mrs. HANSEN of Washington. Mr. Chairman, if the gentleman will yield, I would like to ask a few questions with regard to some reservations I have in connection with the proposed Reorganization Plan No. 4.

As the gentleman knows, the commercial fishing industry has been a very important phase of our national economy. For various reasons, the status of our commercial fishing industry has been declining during the past few years. If this very important industry, which has

a vital impact on many thousands of Americans, is to be revitalized, it must receive specific and direct attention from the Federal Government. I am apprehensive that if the Bureau of Commercial Fisheries is transferred to the National Oceanic and Atmospheric Administration it will become one of several agencies competing for attention and funds and may be lost in the shuffle to the detriment of our fishermen.

Mr. HOLIFIELD. Of course, every agency and bureau has to compete for funds wherever it is located. I would not anticipate that the Bureau of Commercial Fisheries would have more difficulty in securing funds as a part of an agency concerned with the resources of the ocean than it has as a part of the vast and far-ranging Interior Department where it competes with many resource managing agencies. The Committee on Government Operations believes plan No. 4 should strengthen the agencies placed in NOAA, not weaken them.

Mrs. HANSEN of Washington. Although it is stated on page 6 of House Report 91-1465 that the Department of Commerce seems to be moving in the direction of becoming a scientific and technologic services agency with less emphasis than formerly on commerce and business, there is a question in my mind as to what extent emphasis will be given to the desperately needed research required to rejuvenate our commercial fishing industry and place it on a par with the techniques currently being used by other fishery nations. It would seem to me that under the aura of the Department of Commerce there is a good possibility that needed research may be slighted with greater emphasis being placed on the economics of fish harvest.

Mr. HOLIFIELD. Under NOAA, all phases of oceanic research should be coordinated and strengthened. This should provide more and improved research in all the marine sciences, including commercial fishery research. This is certainly the committee's intention. As I have said before the level of the agency's activities will depend on the funds recommended by OMB and approved by Congress.

Mrs. HANSEN of Washington. I share the concern expressed by various conservation groups and others interested in the protection of our biological resources about a transfer of marine sport fish activities and commercial fisheries programs from the Department of the Interior to the Department of Commerce. On page 5 of the report it is stated that the transfer will not change the orientation of these programs as directed by the Congress. Will the gentleman be so kind as to further elaborate on why the committee is so confident in this respect.

Mr. HOLIFIELD. Reorganization plans may transfer functions from one department to another, but they cannot amend the basic substantive laws governing those functions. The policies which Congress enacted into law remain just the same as they were before the functions were transferred. We trust that NOAA will administer the laws transferred to

it with great vigor, as intended by Congress.

Mrs. HANSEN of Washington. The proposed reorganization also provides for the transfer of functions vested in the Secretary of the Interior relating to migratory marine species of game fish. It has frequently been stated in hearings before the Appropriations Committee that the distinction between sport fish and commercial fish matters is frequently a matter of judgment. Could the gentleman give me more detailed information on just what is involved in this transfer and indicate the basis on which this determination was made?

Mr. HOLIFIELD. Regardless of fine distinctions, most commercial fish live all or a large part of their lives in the ocean as do marine sport fish. They are clearly within the scope of the duties of an agency concerned with the resources of the ocean.

Mrs. HANSEN of Washington. Section 4(b) of Reorganization Plan No. 4 provides—

Such further measures and dispositions as the Director of the Office of Management and Budget shall deem to be necessary in order to effectuate the transfers referred to in subsection (a) of this section shall be carried on in such manner as he shall direct and by such agencies as he shall designate.

During the past few years I have found the Bureau of the Budget to be not too friendly to the best interests of the Bureau of Commercial Fisheries. Consequently, I naturally suspect any carte blanche authority which is given to that office with regard to commercial fishery activities. Could the gentleman explain just what is involved here?

Mr. HOLIFIELD. This is a common ancillary provision in reorganization plans to allow the physical movement of personnel, equipment, and supplies and to permit the creation of the necessary new accounts, et cetera. We do not regard it as giving the Office of Management and Budget any carte blanche authority which would modify statutory program requirements.

Mrs. HANSEN of Washington. I understand it is proposed that various overhead or administrative functions would also be transferred under this planned reorganization. I have reference to various positions and activities, for example, in the Office of the Secretary, Department of the Interior, that might be related to Bureau of Commercial Fishery work on a pro rata basis. To what extent will the Secretary of the Interior have control over the transfer of these positions or activities?

Mr. HOLIFIELD. The actual transfers will be determined by the Office of Management and Budget. However, it is obvious that the Office will have to work and cooperate with the Secretary of the Interior in determining exactly which personnel, property, and funds shall be transferred.

Mrs. HANSEN of Washington. The National Council on Marine Resources and Engineering Development currently has an active role in oceanographic matters. In the event Reorganization Plan No. 4 is approved, what will be the effect on the activities on the National

Council on Marine Resources and Engineering Development?

Mr. HOLIFIELD. Reorganization Plan No. 4 does not mention any function of the National Council on Marine Resources and Engineering Development and therefore does not change or transfer any such function.

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

Mr. Chairman, Reorganization Plan No. 4 represents the second major plank in the President's program to organize the Government more effectively to fight pollution and to stimulate the intelligent management and use of our Nation's resources. These organizational proposals, in turn, are part of the President's even grander environmental design to raise the quality of life by providing the necessary talent, funds, authority, management, and leadership to eliminate pollution, overcome waste disposal problems, expand park and recreational facilities preserve and upgrade land resources, and many additional tasks.

The House has just approved the plan to create the Environmental Protection Agency to rid our environment of pollution. Now, there is before us the opportunity to establish an agency to deal more effectively with our vast oceans and atmosphere. This agency will be the National Oceanic and Atmospheric Administration—NOAA—which is to be located in the Department of Commerce. It is to be headed by an Administrator who will hold the rank comparable with that of Under Secretary and will report directly to the Secretary.

The oceans, Mr. Chairman, constitute three-fourths of the entire earth's surface. Yet, they remain the least understood, least developed, and least protected of the planet's resources. Why is this so? Admittedly, man's limited ability to date to operate in an ocean environment has been a cause. But, the same could also be said about space ventures. Yet, we are now walking on the moon and surveying other celestial bodies. The fact is that, up to now, we have failed to organize our efforts, in Government or out, to meet this challenge properly and to provide the necessary incentives to spur on efforts in both sectors. Yet, this is what must be done and done immediately.

The intelligent use of the oceans is vital for our economy, defense, and quality of life. The population of the earth is expanding at a rate that will require us to improve the use of marine resources for food if the hungry of the world are to be fed. As a member of the Commission on Population Growth and the American Future, I can testify to this fact. Similarly, mineral resources from the oceans will become increasingly important in the future. Little is understood today concerning the interaction between the sea and the atmosphere. A better understanding of this will provide a significant expansion in the control and modification of the weather and in improvement of environmental quality. Agriculture and transportation will be benefited, pollution will be materially curtailed, our land resources will be

better protected—all through a broadened comprehension of our oceans and atmosphere.

The establishment of NOAA will especially contribute to an improved use of our marine environment by providing coordination, direction, and overview; identifying and assessing the Nation's marine goals and activities; establishing a balance between exploration, resource development, conservation, engineering, and science; and engaging in research and development of the oceans and atmosphere on an integrated basis.

Programs and functions now scattered among four separate departments and one agency are to be transferred to NOAA. The Commerce Department will contribute a number of major activities now located in the Environmental Science Services Administration: Weather Bureau, Coast and Geodetic Survey, Environmental Data Service, National Environmental Satellite Center, and ESSA Research Laboratories.

From the Interior Department will come the Bureau of Commercial Fisheries functions related to the marine environment, marine sports fish activities, and the Marine Minerals Technology Center.

From the National Science Foundation: Office of Sea Grant program.

From the Department of the Army: Elements of the U.S. Lake Survey.

By Executive Order of the President: Department of Navy: National Oceanographic Data Center, and National Oceanographic Instrumentation Center.

Department of Transportation: National data buoy development project.

It will be seen from the above that Reorganization No. 4 is no mere gesture to environmental protection. Rather, it constitutes a sophisticated design to pull together in one place the bulk of the oceanic and atmospheric programs within Government in an effort to develop a unified approach to what could well be the most important priority effort in ecology in the coming decade.

The reorganization locates NOAA within the Commerce Department because, as indicated above, that is where the bulk of the new agency programs, manpower and finances will come from initially. Thus, a minimum amount of reshuffling will have to take place. When completed, NOAA will employ more than 13,000 personnel and have an estimated 1971 budget of about \$330 million. Approximately 83 percent of its employees and 73 percent of its funds will be drawn from ESSA.

There are those who have criticized this reorganization on the grounds that it is wrong to locate marine resource programs in the Department of Commerce. These arguments basically center around the proposition that the need exists today to preserve rather than exploit such resources and that such preservation would more likely occur in the Interior Department or in a new conservation-oriented agency than in the Commerce Department which, because of its commercial activities, is exploitive in nature.

As for creation of a new agency, I strongly believe that we may have too

many agencies floating around loose today as it is. I supported the establishment of the Environmental Protection Agency in the belief that it is necessary to set up a separate agency to police antipollution activities without the burden of also managing substantive financial assistance programs. Such is not necessary or desirable in the present case, however, since the proper organization and supportive arrangements already exist within the Department of Commerce to assume this new responsibility.

As for locating oceanic programs or even just marine resource activities in the Interior Department, the past record of such department in conservation endeavors has not been that commendable with all due respect to the many loyal and qualified individuals who are employed there. In addition, the purpose of this reorganization is to pull together, on a unified basis, research, exploration, development, conservation, monitoring, and educational activities as they relate as broadly as possible to oceanic and atmospheric functions. This surely cannot be accomplished by keeping some activities in Interior, some in Commerce and some in 40 other places as some people would seem to have us do.

While I can only praise many programs and efforts undertaken by conservation groups, I respectfully believe they are advocating too narrow an approach in this case. Preservation alone is not enough—either in this instance or in general. The greatest benefit for man requires that a balance be developed between a wise conserving of our natural resources and an intelligent use. This can best be accomplished by wedding science, technology, commercial enterprise, and conservation together as is proposed to be done here in the creation of NOAA. The splintering, dividing and fractionalizing of operations that logically should be integrated will serve no one's best interest.

The purpose of this reorganization is to pull together in one place the facilities, personnel, and authority necessary to protect and advance oceanic and atmospheric programs. This can best be done by locating operations in the Commerce Department which is best suited to carry out this unified endeavor. Over 60 percent of the budget and manpower today in Commerce are devoted to scientific and technological purposes. It employs scores of topflight scientists. Its atmospheric operations uniquely complement the oceanic programs to be brought over. The vessels of the Coast and Geodetic Survey, when combined with those of the other agencies to be transferred, will provide incalculable information and data on marine and geological matters. Mapping services, environmental data gathering, research laboratories, training, testing, equipment, facilities, and many other related functions, now scattered among various departments and agencies, will become closely associated under Reorganization Plan No. 4 to provide for the first time a priority-oriented, systems approach to the development and protection of the oceans and the atmosphere.

We are on the verge, I believe of some major breakthrough in this area for the

betterment of man. Approval of this plan can contribute to this endeavor. Moreover, we can do it without having to create a new department or independent agency with all the disruption and disorientation that can cause. Some have pointed to the proposal by the Commission of Marine Sciences, Engineering, and Resources—Stratton Commission—as support for creation of an independent agency. In answer to that one need only note that Dr. Stratton himself has announced support for this plan, as do all but one member of the Merchant Marine and Fisheries Committee, including Congressmen LENNON and MOSHER who served on the Stratton Commission. In addition, many other educators, scientists, businessmen, and experts in this field have endorsed this reorganization. This broad support is, in my opinion, convincing evidence of the merits of the plan.

I thereby urge the approval of this reorganization plan by casting a "no" vote against the resolution of disapproval.

Mr. DON H. CLAUSEN. Mr. Chairman, will the gentleman yield?

Mr. ERLENBORN. I am happy to yield to the gentleman from California.

Mr. DON H. CLAUSEN. The gentleman, I believe, was on the floor when I directed a question to Chairman HOLFIELD on Reorganization Plan No. 3, as it related to the jurisdictional question of committees now handling the prime legislative responsibilities, such as I asked with respect to water quality and pollution control legislation for the Rivers and Harbors Subcommittee of the Committee on Public Works.

Does the same thing apply in this Reorganization Plan No. 4 which is before us for consideration?

Mr. ERLENBORN. In my opinion, the answer to that is "Yes."

By a reorganization plan we do not create or do away with any functions at the executive level. We transfer them from one agency to another or create a new agency to transfer them into, but this in no way affects the underlying jurisdiction based on legislation or jurisdiction of the various committees that have had jurisdiction over separate programs in the past. So the legislative jurisdiction should not be affected by the adoption of the reorganization plan, I would say.

Mr. HALL. Will the gentleman yield?

Mr. ERLENBORN. I am glad to yield to the gentleman from Missouri.

Mr. HALL. Further proceeding along the lines of the discourse that just occurred on the floor, Mr. Chairman, it may not be generally known, but there has been for a long time an informal arrangement as far as control of at least the research and development of oceanography is concerned. This has been chaired and funded both as to authorization and appropriation by the armed services through the U.S. Navy. In recent years 76 percent of the funding has come through that body, and it is one of the examples of where defense funds go for the weal of the entire Nation and not just armed defense. I believe it is also decided that at least as far as research and development test and evalu-

ation is concerned that the perpetual chairmanship of the Committee on Oceanography, this informal, loose arrangement, should be in the hands of the Navy and that the Navy does thereby designate such a person to chair this program. Again I am sure that the coordination would be complete inasmuch as armed service officers are adept at and are indeed trained in and taught to do staff coordination in most of their endeavors.

Does the gentleman have knowledge as to whether or not this reorganization plan would take over the functions of that prior arrangement with its informal, but very effective organization?

Mr. ERLENBORN. I wish I could answer the gentleman's question, but, in all honesty, I do not know. I can say that it is contemplated that upon the creation of NOAA by Executive order the President will transfer from the Department of the Navy the National Oceanographic Data Center and the National Oceanographic Instrumentation Center. If these are the functions that the gentleman has reference to, it is possible that there may be some effect.

Mr. HALL. I will say to the gentleman that the functions I have reference to go much deeper than that. I am conscious of those two areas and, of course, I am conscious of the President's as well as the Commander in Chief's authority to transfer these agencies, but I just thought perhaps it had been discussed. I hope that a legislative record could be made on this on the floor.

Mr. ERLENBORN. I thank the gentleman.

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

Mr. ERLENBORN. I yield to the gentleman from Ohio (Mr. MOSHER) who may be able to answer the gentleman's question better than I can.

Mr. MOSHER. Commenting on the question of the gentleman from Missouri, I can assure him that it was the philosophy of the Stratton Commission and its recommendations, and our subcommittee in considering the legislation in which this reorganization plan is rooted felt that it pretty much followed the Commission's recommendations. It was the philosophy of that Commission that NOAA would not in any way interfere with the oceanographic responsibilities and efforts of the Department of the Navy. However, I think I should make the statement that the gentleman from Missouri just made when he was talking about the Navy's role in coordinating oceanography.

The CHAIRMAN. The time of the gentleman has expired.

Mr. ERLENBORN. Mr. Chairman, I yield myself 5 additional minutes.

Mr. MOSHER. Will the gentleman yield further?

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

I am sure that the gentleman from Missouri recognizes the existence now and has for several years of the Marine Council on Marine Science in the Office of the Presidency in which the Under Secretary of the Navy participates as a member and which is really the coordinating body for all of this oceanographic

effort. That has been true for several years. The Navy is a very active participant in that council.

Mr. HALL. Mr. Chairman, if the gentleman will yield further—

Mr. ERLÉNORN. I yield further to the gentleman from Missouri.

Mr. HALL. For the record I would simply state to the gentleman from Ohio that I appreciate his comments and add that the gentleman from Missouri does know about the Coordinating Council on Marine Science. In fact, if one would review the record, one would find that I stated and tried to develop a legislative record at the time it was first founded and funded, trying to establish the difference between civilian and military control over some of these areas that we need to protect and at the same time bring them together and tie them together with one ribbon.

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

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

Mr. LENNON. Mr. Chairman, in further response to the distinguished gentleman from Missouri, the successor to Admiral Walters, the oceanographer of the Navy, Adm. W. W. Behrens, Jr., was in my office this morning and this question was raised. He visited my office to have me assure anyone that may raise this question that the Navy was supporting this reorganization plan very strongly and wanted to make that crystal clear, that these matters you refer to have been worked out.

Mr. ERLÉNORN. I thank the gentleman for his contribution.

Mr. Chairman, I would again call the attention of the Members of the House to the fact that the gentleman from North Carolina (Mr. LENNON) and the gentleman from Ohio (Mr. MOSHER) both testified before our Subcommittee on Executive and Legislative Reorganization in support of the plan. Their testimony was most impressive and most knowledgeable as members of the Committee on Merchant Marine and Fisheries which has worked in this area for many years. Their testimony was in complete support of this reorganization plan. I would recommend that we follow the advice of these gentlemen and cast a "no" vote on this resolution.

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

Mr. LENNON. Mr. Chairman, on July 28 of this year the distinguished gentleman from Ohio (Mr. MOSHER), the ranking Republican member on the Oceanography Subcommittee, and myself in the capacity as chairman of the Subcommittee on Oceanography, had the great honor of appearing before the Executive and Legislative Reorganization Subcommittee of the Committee on Government Operations. At that time I had the honor of stating to this distinguished subcommittee that one of the 36 members of the Committee on Merchant Marine and Fisheries, which is the parent committee to the Oceanography Subcommittee, that 35 members had authorized me to say to that subcommittee that they were in full support of Reorganization Plan No. 4.

I think the members of the Committee of the Whole House on the State of the Union who are present today should recognize the fact that the Oceanography Subcommittee came into being in 1959. Its first chairman was the distinguished gentleman from California, Mr. GEORGE MILLER, who served less than a year and then, of course NASA was created and he became chairman of that distinguished committee of the House of Representatives. The gentleman from California (Mr. MILLER) was succeeded by my distinguished friend in a matter of about 6 months, the gentleman from Michigan, Mr. JOHN DINGELL. Then when the gentleman from Michigan became chairman of the Subcommittee on Fish and Wildlife, it was my honor to move to the chairmanship of the Subcommittee on Oceanography.

I have the great honor also of serving as the ranking Democrat on the Fish and Wildlife Subcommittee.

Mr. Chairman, we have spent many years in trying to find a solution to the proliferation of the various facets of oceanography and marine science programs that exist in so many agencies, departments, and bureaus of the Federal Government and have been there since their inception.

I am reminded of the fact that if, when NASA came into being we had had as many as seven to 10 Federal agencies, bureaus, or departments who were interested in space, we would never have been able to put a man on the moon. Fortunately, the only single agency of the Federal Government that was interested in space was the Air Force, and we had no problem, and that is the reason we went on as we did.

I shall not take the time to tell you the history of the Stratton Commission and its report, but I am here today to say to you that Dr. Julius Stratton, who headed this Commission, gives his unqualified support to Reorganization Plan No. 4. And I am here to tell you also that Dr. Edwin Wenk, Jr., who was Executive Director of the Marine Sciences Council, which has members at Cabinet level, with the exception of the three-member council, that he unqualifiedly supports Reorganization Plan No. 4. The only component of any department that is not included in Reorganization Plan No. 4, which was investigated by the Stratton Commission, is the Coast Guard. I want to make crystal clear that I would have preferred a legislative independent organization, but I am a realist, and I think we are moving today in the right direction in bringing together these essential components of marine science.

I believe that the future of the oceans, both in the area of food for human beings and in exploitation, if you will, in connection with its economic stake, are the most valuable things that we can see today, and I urge the Members of this House to vote "no" on the resolution of disapproval of Reorganization Plan No. 4.

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

Mr. LENNON. I yield to the distinguished gentleman from North Carolina.

Mr. FOUNTAIN. Mr. Chairman, I want to take this occasion to commend my distinguished colleague from North Carolina, the gentleman in the well (Mr. LENNON) for the splendid work he has done as the chairman of the Oceanography Subcommittee of the Committee on Merchant Marine and Fisheries, and also the members of his subcommittee for the support they have given Mr. LENNON.

I recall talking to him a number of years back when he was advocating a greater show of interest on our part in the area of oceanography. He has been one of the legislative pioneers who has encouraged this Congress to show and to take a greater interest in this subject, and to give it a more preeminent place in our thoughts and actions—especially in terms of research and development of the tremendous undeveloped wealth which lies on the seabeds of the oceans of the world.

In 1967 I had the honor of being one of the congressional delegates to the United Nations, representing the Government of the United States. A resolution was offered calling upon the United Nations to seek to take over the ocean beds of the world and develop them on behalf of the underfed and underdeveloped nations of the world. The distinguished gentleman from Michigan (Mr. BROOMFIELD), our other congressional delegate to the United Nations, and I both became concerned about this, and the gentleman in the well testified before the appropriate subcommittee of the House Committee on Foreign Affairs, on which I was also serving, and expressed his great concern over any such premature action by that body.

The CHAIRMAN. The time of the gentleman has expired.

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

Mr. FOUNTAIN. And the testimony of the gentleman from North Carolina (Mr. LENNON) and the action of the members of his subcommittee were helpful to us as delegates to the United Nations. Our entire delegation was able to negotiate a compromise which resulted in the seabed resolution being referred to a subcommittee of the United Nations for further and more careful consideration. Since that time I think we have been able to work this matter out on a more cooperative basis with other nations. I hope we will not be outraded.

Again, Mr. Chairman, I want to compliment my colleague, the gentleman from North Carolina (Mr. LENNON), for the interest he has shown in this extremely important field—the field of oceanography. As I see it, oceanography has an even more vital potential in the long run than had the field of space where we entered upon that journey, because we now know that the ocean beds contain tremendous quantities of food, and the world is hungry, needs that food.

My colleague from North Carolina (Mr. LENNON), in the years that lie ahead in my opinion will have reason to be proud of the initiatives he has taken in encouraging the Congress and the executive branch of this Government to move full speed ahead in oceanography.

I thank the gentleman for yielding.

Mr. LENNON. I thank the gentleman for his generous remarks.

I would remind the Members of the Committee that the Committee on Merchant Marine and Fisheries is constituted of members from every one of our coastal States from Maine to Miami on the Atlantic seaboard and the Gulf States and Pacific States, and in most of those States that have the Great Lakes in them.

So you see how generally we are interested in this program of Reorganization Plan No. 4.

Mr. ERLENBORN. Mr. Chairman, I yield such time as he may consume to the gentleman from Ohio (Mr. BROWN).

Mr. BROWN of Ohio. Mr. Chairman, I rise in support of Reorganization Plan No. 4 to create a National Oceanic and Atmospheric Administration.

Organization is at least as important as programs, personnel, and money in determining whether the goals and objectives of legislation are to be carried out. We need only examine the past administration of health, education, manpower, pollution control, and consumer protection programs, among others, to see this.

In the past, as many know, I have taken a strong position against some reorganizations on the ground that they could cause more harm than good. Today, however, I am here to support this reorganization plan as I did earlier with plan No. 3.

As I view it, the President has laid out for Congress an intelligent and logical legislation package for action on environmental protection, including increased authority and money to fight pollution, protect land resources, prevent exploitation, meet the population issue, face the problem of world poverty and hunger, and conserve precious resources. That which we are taking up today is part of the organization phase of the President's blueprint—one which I believe will contribute significantly to improving the quality of life not only in the United States, but throughout the world.

It is for us here in this country, with our zeal for pollution control and our wealth for accomplishing improvement, to exercise the initiative and leadership required to preserve and improve our global environment. We, in essence, have the "room to maneuver" and the resources to lead the way. Without appearing to sound overly grim, I firmly believe that, if we fail in this endeavor, the long-range future of man is dim.

Beyond question, one of the major areas of neglect today is that relating to our oceans and atmosphere. We have tolerated pollution, permitted exploitation, ignored the benefits of a managed aquaculture, overlooked sound mineral resource management, and, in general, disregarded the necessity to deal with these two areas as an integrated whole. Instead, in research, exploration, development, training, facilities, vessels, equipment, and related matters, we have permitted the establishment and proliferation of multiple, independent, uncoordinated, and specialized units within a myriad of departments, agencies, and bureaus. At times, and for certain purposes, it is sound to establish an inde-

pendent structure. We have done that today by approving Reorganization Plan No. 3 to establish the Environmental Protection Agency. Such cannot be the case, however, when it comes to managing our marine resources and atmosphere.

Creation of NOAA will put an end to this fractured existence by merging those functions of the Environmental Science Services Administration—Weather Bureau, Coast and Geodetic Survey, Environmental Data Service, National Environmental Satellite Center, and ESSA Research Laboratories—which are located in the Department of Commerce with the Commercial, Fisheries and Marine Sport Fish programs and Marine Minerals Technology Center, located in the Interior Department. In addition, there is to be transferred to NOAA the Office of Sea Grants Program from the National Science Foundation and elements of the U.S. Lake Survey from the Corps of Engineers. The President, in turn, has announced his intention of transferring by Executive order the National Oceanographic Data Center and the Instrumentation Center from the Navy Department and the National Data Buoy Project from the Department of Transportation.

NOAA, upon absorbing all these functions and authorities, will operate as an autonomous agency within the Commerce Department. It will be headed by an official who will hold a rank comparable to that of Under Secretary and will report to the Secretary.

There are those who oppose this reorganization plan on the basis that it is better to leave things where they are or to locate some of the above operations in a new department which will be more conservation minded than the Commerce Department has been in the past. While fully appreciating the sincere motives of those opposed, I do not believe their argument to be sound or well thought through.

As for leaving these functions where they are, I believe the present improper use or failure to use effectively existing resources is answer enough. About all one could say to a policy of do-nothing in this instance is that things might not get much worse under such circumstances. But, that can be no answer today as far as environmental pollution and resource depletion is concerned. A look at our failing domestic fishing industry, at the worldwide mining of marine and mineral resources, at the lack of understanding over the interaction between the sea and atmosphere, and at the waste of our lands must surely convince even those who do not choose to see a bold, unified attack on these little-understood problems must be launched.

As for locating some of the functions, to be affected by this reorganization, in a new conservation-oriented department, I can only stress that organizational independence under the wrong circumstances can constitute a one-way street to nowhere, and separation of conservation from management and use will lead to neither sound management and use or effective conservation.

To insure the soundest and sanest use

of our marine resources in relation with the atmosphere, it is necessary to:

Accelerate the exploration and development of marine resources;

Expand knowledge of the marine and atmospheric environment;

Develop fundamental technology;

Promote conservation;

Rehabilitate fisheries;

Implement manpower and training programs;

Coordinate programs with other Federal, State and local operations;

Promote and advance the field of aquaculture;

Monitor, map, chart and otherwise increase data collection;

Encourage private initiative and investment;

Improve and coordinate programs at the international level;

Improve weather forecasts and environmental modification.

These functions and those related to them can, in my opinion, be best located within the Department of Commerce which increasingly over the years has upgraded and expanded its scientific and technological activities to the point today where such activities represent 60 percent of the Department's efforts. ESSA, already located in Commerce, will constitute the bulk of NOAA, as presently to be constituted. To shift these duties out of that Department and thereby contribute to downgrading its excellent efforts and reputation in the fields of science and technology would not only be unsound from the standpoint of economy and efficiency, but would also deny NOAA other important services which Commerce is able to supply, including those offered by the National Bureau of Standards and its international bureaus.

In order to meet intelligently the problems of pollution which face us in the world's oceans, we must find out what is happening now and determine what steps can be taken to solve the problems we find developing or already existing. We dare not delay. Someplace down the road, we may want to establish a cabinet level department of natural resources, but to delay action until such a reorganization idea winds its tortured way through the conflicting interests represented in the Congress would be a disservice to a vital problem which is immediate.

There is pressing need for supporting this reorganization plan, Mr. Chairman. It has received wide support from scientists, educators, businessmen, and Members of Congress who are most knowledgeable and competent in this area.

I urge approval of Reorganization Plan No. 4.

Mr. ERLENBORN. Mr. Chairman, I yield such time as he may consume to the gentleman from Illinois (Mr. FINDLEY).

Mr. FINDLEY. Mr. Chairman, I, too, rise in support of Reorganization Plan No. 4, and in opposition to the resolution of disapproval.

Mr. Chairman, we are finally beginning to awaken to the realization that we live on a planet with finite resources and a delicately balanced ecosystem. All

the air, all the water, and most natural resources now available for sustaining life are all that are ever going to be available. So, when we pollute our air and water, despoil our lands, make species of animal life extinct, destroy tidal areas, and heedlessly exploit mineral resources, we are, in essence, either putting in serious jeopardy future generations or at least assuring their marginal existence.

We have just enacted Reorganization Plan No. 3 to establish an improved organization to fight pollution. At other times Congress has and will continue to expand programs and finances to attack the pollution problems, preserve land areas, and similar endeavors. Now is the time to vote in support of Reorganization Plan No. 4 to create a National Oceanic and Atmospheric Administration—NOAA—within the Department of Commerce to enable us more effectively to safeguard and develop marine resources and the atmospheric environment.

Without question, the oceans and the outer regions of space are the last great frontiers of man. We have organized to explore space; up to now we have failed to do the same for the oceans, even though they constitute three-fourths of our earth's surface. Yet within these regions of water, may be man's greatest resource for survival. Its food resources and mineral deposits constitute a reserve that we must carefully and knowingly research, explore, develop, and conserve. Through the establishment of NOAA we will take a bold step to meet our obligations.

NOAA will pull together these functions in the Commerce Department now administered by the Environmental Science Services Administration. These include the Weather Bureau and Coast and Geodetic Survey plus environmental data gathering, storage and retrieval operations and research laboratories. Matched with these will be the commercial fishery, marine sport fishing and marine minerals technology programs of the Interior Department which will permit a balanced program for the oceans and atmosphere in the shape of facilities, research, trained personnel, vessels, equipment, and know-how. To further support this effort, the sea grants program of the National Science Foundation and elements of the U.S. Lake Survey of the Corps of Engineers are to be transferred, while the President has announced his intention to transfer to NOAA the Navy's oceanographic data activities and instrumentation center and the Transportation Department's national data buoy program.

It is recognized that NOAA will not have under one roof all existing Federal programs dealing with the ocean and atmosphere. The intention has been, instead, to create a nucleus of the most important civilian programs and permit a solid beginning to be made before other consolidations are to be considered.

A general consensus exists among scientists, Members of Congress, businessmen, educators, and others, expert and

knowledgeable in this area, that this plan is a sound approach and they endorse this reorganization.

There has been some effort to generate opposition to this plan on the grounds that the Department of Commerce is primarily commercially oriented and will thereby exploit rather than conserve our marine resources. To me this is unjustified. In the first place, to recommend a separation of conservation from exploration and development can only mean administrative chaos, divisiveness and bureaucratic myopia. The loser, of course, is the public. Second, we cannot properly separate any of the above functions from advanced scientific and technological capabilities. The latter is itself a scarce resource. The Commerce Department, in fact, has one of the few qualified, in-depth capabilities in Government—60 percent of its operations are devoted to that end.

You can neither take conservation out of development, nor science and technology out of either without disastrous consequences. Third, to place the activities of a NOAA office in some corner by itself, as some suggest, will most likely not have the positive regenerative consequences that its advocates maintain. The secret of organization today is to develop a broad systems orientation with an in-depth backup to resources, men and ideas in order to force consideration of programs and needs. Their interrelation are so obviously essential, but yet insufficiently explored, that we are already frightfully negligent in mounting an effective coordinated attack in this area.

Bold new efforts are required to restore and protect environmental quality. Man's life depends upon a willingness to meet problems of pollution, exploitation and degradation of our ecological community.

I believe the President has taken a solid step forward by proposing the establishment of NOAA and I urge adoption of Reorganization Plan No. 4.

Mr. HOLIFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Michigan (Mr. DINGELL).

Mr. DINGELL. Mr. Chairman, we have before us a classic example of the power to delegate running wild.

This is perhaps one of the worst pieces of reorganization legislation that is going to be before this Committee, I believe, in this year or any other.

You know, I think here is a very excellent example of why the Congress should not extend the reorganization act. Here the entire oceanographic management program of the United States is being moved around inside the Federal Government without a word of consultation to the conservation organizations—without a word of consultation to the State game management agencies—and without a word of consultation with most of the Members of the Congress.

I have had a number of meetings with Secretary of Commerce Stans as to how he proposes to administer the portions of programs being transferred into his hands. I discussed the Fish and Wildlife Coordination Act, a great piece of legis-

lation that deals with preservation, of wet lands and of waters, and wildlife. He has no idea how he is going to administer that statute as it affects his agency under plan No. 4. It moves into the hands of the Department of Commerce, the preservation of whales and of all endangered oceanographic species which are now Federal Responsibilities under two Federal Endangered Species Statutes.

Mr. Stans has no idea how those proposals are going to be implemented and how the precious resources entrusted to his administration are going to be cared for.

The Congress has had no opportunity to be in on the development of this program.

What is needed here is the creation of a Department of Natural Resources and a piece of legislation to this end is now pending, which is authored by my colleague and friend, the gentleman from California (Mr. Moss) and I, the two authors of the disapproval resolution now before the Congress. It is H.R. 19194, the text of which I insert here:

H.R. 19194

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 "Department of Natural Resources Act".

DECLARATION OF PURPOSE

Sec. 2. (a) The Congress hereby declares and finds that the establishment of a Department of Natural Resources is necessary in the public interest and to protect the public health and welfare; to assure the coordinated, effective protection, conservation, and enhancement of the Nation's resources; to achieve a more comprehensive understanding of the oceans and their resources and the atmosphere; to encourage and foster cooperation of Federal, State, and local agencies and foreign governments and private organizations and agencies and individuals toward the prompt achievement of the natural resource and oceanic and atmospheric protection and enhancement objectives set forth in this and many other Acts of Congress; to stimulate technological advances in protecting, conserving, and enhancing natural resources when it is in the public interest to develop such resources for the public benefit; to provide opportunities for urban and rural dwellers to know and enjoy such resources; to provide leadership nationally and internationally in the identification and solution of natural resource and oceanic and atmospheric problems; and to develop, further define, and to recommend to the President and the Congress new and improved programs, including the adequate financing of such programs and existing programs, and to accomplish those objectives with full and appropriate consideration of the need to encourage the growth and development of the Nation, to improve the daily lives of all of the people of the Nation, and to preserve our national security.

(b) It is hereby declared to be the national policy that the protection, conservation, and enhancement of the Nation's natural resources and the oceans and the atmosphere in productive harmony with the environmental quality, social, economic, and other requirements of present and future generations of Americans is in the paramount interest of the United States.

DEPARTMENT OF NATURAL RESOURCES

Sec. 3. (a) The Department of the Interior in hereby redesignated as the Department

of Natural Resources (hereinafter referred to as the "Department"), and the Secretary of the Interior is hereby redesignated the Secretary of Natural Resources (hereinafter referred to as the "Secretary").

(b) There shall be in the Department three additional Assistant Secretaries, who shall be appointed by the President, by and with the advice and consent of the Senate, and who shall perform such functions, powers, and duties as the Secretary shall prescribe from time to time. The Assistant Secretaries shall be for oceanic and atmospheric preservation, for national parks and forests, and for international affairs of the Department. The Assistant Secretary for Fish and Wildlife and Parks is hereby redesignated as the Assistant Secretary for Fish and Wildlife.

(c) There is hereby established within the Department a National Oceanic and Atmospheric Administration which shall be headed by an Administrator who shall be appointed by the President, by and with the advice and consent of the Senate. There shall also be five Deputy Administrators: for Research; for Exploration and Development; for Loans and Grants; for International Coordination and Program Planning; and for Administration and Public Information.

(d) In addition to such functions, powers, and duties specified in this Act to be carried out by the Administrator, he shall carry out such other functions, powers, and duties as the Secretary may prescribe. The Administrator shall report to the Secretary through the applicable Assistant Secretary and the Under Secretary. Each Deputy Administrator (according to such order as the Administrator shall prescribe) shall act for, and exercise the duties of, the Administrator during his absence or disability. The Administrator shall prescribe the functions, powers, and duties of each Deputy Administrator.

(e) The functions, powers, and duties as are specified in this Act to be carried out by the Administrator shall not be transferred elsewhere in the Department unless specifically provided for by reorganization plan submitted pursuant to provisions of chapter 9 of title 5, United States Code, or by Act of Congress enacted after the effective date of this Act.

TRANSFERS TO DEPARTMENT

SEC. 4. (a) There are hereby transferred to the Secretary to be administered by him through the Administrator of the National Oceanic and Atmospheric Administration all functions, powers, and duties of the:

(1) Secretary of Commerce under the laws and provisions of laws administered by him through the Environmental Science Services Administration;

(2) the Secretary of Transportation under laws administered by him for carrying out the national data buoy project; and

(3) the National Science Foundation under the National Sea Grant College and Program Act of 1966, as amended.

(b) There are hereby transferred to the Secretary to be administered by him all functions, powers, and duties of the Secretary of Agriculture under the laws and provisions of laws administered by him through the National Forest Service.

(c) The Secretary shall, within one hundred and eighty days after the effective date of this Act, transfer to the Administrator any function of any other agency or office or part thereof of the Department if the Secretary determines that such function relates primarily to functions transferred to the Secretary under this section.

(d) The Secretary, in administering the programs transferred under this section, shall coordinate his activities with those of the departments and agencies which administer them prior to the effective date of this Act.

(e) Within one hundred and eighty days after the effective date of this Act, the President may transfer to the Secretary any function of any other agency or office or part

thereof if the President determines that such function relates primarily to functions transferred to the Secretary under this section.

ADMINISTRATIVE PROVISIONS

SEC. 5. (a) (1) So much of the personnel, property, records, and unexpended balances of appropriations, allocations, and other funds employed, used, held, available, or to be made available in connection with the functions transferred to the Secretary or the Department by this Act as the Director of the Office of Management and Budget shall determine shall be transferred to the agency at such time or times as the Director shall direct.

(2) Such further measures and dispositions as the Director of the Office of Management and Budget shall deem to be necessary in order to effectuate the transfers referred to in paragraph (1) of this subsection shall be carried out in such manner as he shall direct and by such agencies as he shall designate.

(b) The Administrator appointed under this Act shall be compensated at the rate now or hereafter provided for level V of the Executive Schedule pay rates (5 U.S.C. 5314) and the Deputy Administrators appointed under this Act shall be compensated at the rate now or hereafter provided for level V of the Executive Schedule pay rates (5 U.S.C. 5315).

ANNUAL REPORT

SEC. 6. The Secretary shall as soon as practicable after the end of each fiscal year, make a report in writing to the President and to the Congress on the activities of the Department during the preceding fiscal year.

SAVINGS PROVISIONS

SEC. 7. (a) All orders, determinations, rules, regulations, permits, contracts, certificates, licenses, and privileges—

(1) which have been issued, made, granted, or allowed to become effective—

(A) under any provision of law amended by this Act, or

(B) in the exercise of duties, powers, or functions which are transferred under this Act, by (i) any department or agency, any functions of which are transferred by this Act, or (ii) any court of competent jurisdiction, and

(2) which are in effect at the time this Act takes effect, shall continue in effect according to their terms until modified, terminated, superseded, set aside, or repealed by the Secretary or Administrator (in the exercise of any authority respectively vested in them by this Act), by any court of competent jurisdiction, or by operation of law.

(b) The provisions of this Act shall not affect any proceedings pending at the time this section takes effect before any department or agency (or component thereof), functions of which are transferred by this Act; but such proceedings, to the extent that they relate to functions so transferred, shall be continued before the Department. Such proceedings to the extent they do not relate to functions so transferred, shall be continued before the department or agency which they were pending at the time of such transfer. In either case orders shall be issued in such proceedings, appeals shall be taken therefrom, and payments shall be made pursuant to such orders, as if this Act had not been enacted; and orders issued in any such proceedings shall continue in effect until modified, terminated, superseded, or repealed by the Secretary or Administrator (in the exercise of any authority respectively vested in them by this Act), by a court of competent jurisdiction, or by operation of law.

(c) (1) Except as provided in paragraph (2)—

(A) the provisions of this Act shall not affect suits commenced prior to the date this section takes effect, and

(B) in all such suits proceedings shall be had, appeals taken, and judgments rendered, in the same manner and effect as if this Act had not been enacted.

No suit, action, or other proceeding commenced by or against any officer in his official capacity as an officer of any department or agency, functions of which are transferred by this Act, shall abate by reason of the enactment of this Act. No cause of action by or against any department or agency, functions of which are transferred by this Act, or by or against any officer thereof in his official capacity shall abate by reason of the enactment of this Act. Causes of actions, suits, actions, or other proceedings may be asserted by or against the United States or such official of the Department as may be appropriate and, in any litigation pending when this section takes effect, the court may at any time, on its own motion or that of any party, enter an order which will give effect to the provisions of this subsection.

(2) If before the date on which this Act takes effect, any department or agency, or officer thereof in his official capacity, is a party to a suit, and under this Act—

(A) such department or agency is transferred to the Secretary, or

(B) any function of such department, agency, or officer is transferred to the Secretary,

then such suit shall be continued by the Secretary (except in the case of a suit not involving functions transferred to the Secretary, in which case the suit shall be continued by the department, agency, or officer which was a party to the suit prior to the effective date of this Act).

(d) With respect to any function, power, or duty transferred by this Act and exercised after the effective date of this Act, reference in any other Federal law to any department or agency, officer or office so transferred or functions of which are so transferred shall be deemed to mean the officer or agency in which this Act vests such function after such transfer.

SEPARABILITY

SEC. 8. If any provision of this Act or the application thereof to any person or circumstances is held invalid, the remainder of this Act, and the application of such provision to other persons or circumstances shall not be affected thereby.

CODIFICATION

SEC. 9. The Secretary is directed to submit to the Congress within two years from the effective date of this Act, a proposed codification of all laws that contain the powers, duties, and functions transferred to or vested in the Secretary or the Department by this Act.

EFFECTIVE DATE; INITIAL APPOINTMENT OF OFFICERS

SEC. 10. (a) This Act shall take effect ninety days after the effective date of this Act, or on such prior date after enactment of this Act as the President shall prescribe and publish in the Federal Register.

(b) Any of the officers provided for in this Act may (notwithstanding subsection (a)) be appointed in the manner provided for in this Act, at any time after the date of enactment of this Act. Such officers shall be compensated from the date they first take office, at the rates provided for in this Act. Such compensation and related expenses of their offices shall be paid from funds available for the functions to be transferred to the Department pursuant to this Act.

ABOLITIONS

SEC. 11. Subject to the provisions of section 10 of this Act, the following, exclusive of any functions, are hereby abolished:

(1) The Environmental Science Services Administration in the Department of Commerce (established by Reorganization Plan

No. 2 of 1965, 79 Stat. 1318), including the offices of Administrator of the Environmental Science Services Administration and Deputy Administrator of the Environmental Science Services Administration.

CONFORMING AMENDMENTS TO OTHER LAWS

SEC. 12. (a) Section 19(d)(1) of title 3, United States Code, as amended, is hereby amended by striking out "Secretary of the Interior," and inserting therein "Secretary of Natural Resources."

(b) Section 101 of title 5 of the United States Code, as amended, is hereby amended by striking "The Department of the Interior," and inserting therein "The Department of Natural Resources."

(c) The amendment made by subsection (b) of this section shall not be construed to make applicable to the Department any provision of law inconsistent with this Act.

(d) Subchapter II (relating to Executive Schedule pay rates) of chapter 53 of title 5 of the United States Code, as amended, is amended as follows:

(1) Section 5312 is amended by striking out "(6) Secretary of the Interior," and inserting therein "(6) Secretary of Natural Resources."

(2) Section 5314 is amended by adding at the end thereof the following:

"(55) Administrator National Oceanic and Atmospheric Administration."

(3) Section 5315 is amended by striking out "(18) Assistant Secretaries of the Interior (5)," and inserting therein "(18) Assistant Secretaries of Natural Resources (8)."

(4) Section 5316 is amended:

(A) by striking out "(36) Chief Forester of the Forest Service, Department of Agriculture," and inserting therein "(36) Chief Forester of the Forest Service, Department of Natural Resources."; and

(B) by adding at the end thereof the following:

"(132) Deputy Administrators, Department of Environmental Quality (5)."

(5) Section 5316 and the note under section 5317 are amended by striking out "Department of the Interior" wherever it appears in such sections and inserting in lieu thereof the following: "Department of Natural Resources".

I believe it is important to take a look at the agency that is going to have control of the oceans living resources. The basic charter or statute which established in 1903 the Department of Commerce says that this commission is to "foster, promote, develop foreign and domestic commerce, mining, manufacturing and shipping and fishing industries" it says nothing of preservation of natural resources. Not one word about the preservation of natural resources for the future.

The fishery resources that were under the administration of the Department of Commerce were so poorly administered that in a time long past, they were transferred from the inefficient and incompetent administration of that agency and moved over into the Department of the Interior where they have been well managed.

Indeed, I would point out that the legislation that is now before us would put the fox in charge of the chicken coop. The Department of Commerce is constituted as a servant of business and industry. As the spokesman for industry—in fact the exploiters and polluters—it has done what they wished. I believe that we should have an agency of this kind within the Federal Government.

Industry needs assistance, encouragement and a spokesman.

But I do not believe that we should be so foolish as to expect an agency constituted to serve the polluters, the industrial users, and the exploiters is going to be concerned with the long-range preservation program. And programs for long range management and protection of resources should not be entrusted to such a government entry. And I would point out to my colleagues that that is the precise question before us today—whether we are going to give to the exploiters, the polluters, and the abusers of our natural resources the preservation of the great oceanic treasure that belongs not only to this Nation but to the entire populace of the world.

There is something rather more to be ascertained and to be concerned with here. The President's Council on Environmental Quality was not consulted about this legislation. Indeed, very few people on the hill received any consultation by the agency before the presentation of the plan. I would point out that after the plan was published in a number of meetings with the Department of Commerce I continually asked questions that were entirely unanswered, and was expected and assumed to take on faith that it would be well administered.

I am not elected as Representative of the people to swallow the plans and the protestations of the Department of Commerce without better information and answers. I am always aware that an agency that is trying to make a raid on the jurisdiction of another agency is prepared to promise almost anything, no matter how outrageous and how little in conformity with its intentions, in order to succeed in carrying out its goal and its end.

You know the private organizations that have worked with this Congress and with most of us in the Congress, and that have been concerned with the creation of a sound environmental policy and with wise preservation and use of our natural resources are without exception opposed to the creation of NOAA in the Department of Commerce. The International Association of Game and Fish Conservation Commissioners just passed a unanimous resolution against the movement of NOAA to the Department of Commerce. I would point out that this includes all the game and fish conservation agencies of the United States, Canada, and Mexico. I would point out that the Sierra Club, the National Wildlife Federation, the Audubon Society, the Isaak Walton League, the Wildlife Management Institute, the Sports Fishing Institute, and every other major national conservation organization, without exception, is opposed to turning the future of this Nation and the future our oceanic resources over to the Department of Commerce.

The reason is very simple. This reorganization proposal is going to turn over the custody of the chicken coop to the fox. Some of my colleagues tell me we are going to make a conservation-oriented organization out of the Department of Commerce. I would be willing

to believe that the very day these same friends and colleagues who hand me a silk purse made out of a sow's ear.

The kind of clientele, the history, and the record of that agency do not engender any trust or any belief that they are anything other than what their basic charter started them out to be; and that is servants and lackeys of the polluters and the exploiters and those who would destroy the natural resources that are going to be entrusted to their care.

I am aware that it is always appealing to say that this is going to bring about preservation, this is going to mean enhancement, this is part of a great plan to preserve the natural resources of the Nation.

But I will tell you that we had before my subcommittee the Chairman of the President's Council on Environmental Quality. I said to him:

Mr. Train, can you tell us what qualifications are present in the Department of Commerce for the ocean resource management programs to be transferred, to the Department of Commerce?

I must tell you that he, as the President's chief adviser on matters of environment, pollution control, and preservation of natural resources of this Nation and of this world could not point out to a single qualification of the Department of Commerce, not one, whereby they could be entrusted with the preservation of oceanic resources.

I just want to give a brief catalog of some of the statutes that will be turned over to this agency:

The Fish and Wildlife Coordination Act—something which says that in the consideration of every Federal or federally financed programs for water development, that the agency concerned has to take appropriate steps to preserve fish and wildlife values.

The Anadromous Fish Act, something in which the Department of Commerce has no interest or experience whatsoever, which has brought back and restored anadromous fish in many parts of this land.

The Endangered Species Act, set up to preserve species endangered because of activities of man and environmental changes in the world.

They are going to turn over the great nearly extinct whales of the world to the Department of Commerce, which has a long record of service to the exploiters and users of whale oil and things of this kind. That will also happen to the other endangered species of the sea. The next attempted raid will be on the coastal zones of the United States, so the polluters and exploiters can get their hands on these resources.

I would warn my colleagues the fight to preserve the Nation's resources is a difficult one. We make little wins and suffer big losses. I would point out that, of the losses to be cataloged during the year of 1970, perhaps the biggest single loss the Nation is going to undergo is the turning over of our natural resources to the Department of Commerce and the setting up of NOAA in an agency that has no record of concern or interest in conservation matters.

I would point out what is needed here is an affirmative vote on the resolution. Such a vote will say we will work with the administration on an appropriate national maritime and resources program, but we want to be consulted and to participate legislatively in creation of a proper plan of action. We have expertise in these matters far beyond that which we will find in most of the departments, so far beyond that which certainly we will find in the Department of Commerce. It will say we want to work with the administration to come forward with a far better and far more responsive program. The Congress has a duty to resolve unanswered questions and consider how NOAA is going to interrelate with all the statutes which are involved in the preservation of a decent environment and in the preservation of our oceanographic resources.

I would point out if we do that, we would certainly come up with a proposal to create a Department of National Resources. It is folly to hand over the oceanographic endeavors of this Nation to the polluters and despoilers and plunderers of nature. Such precious resources must be kept in an organization within the Federal Government at Cabinet level and not again reduced far down into the hierarchy of the Department. Proponents of this measure can say NOAA is going to be in a department which is going to be concerned with environmental matters, and I suspect even have a few people in the agency who will feel such concern, but I suspect they will be so low in the Department of Commerce as to be almost totally incapable of having their views heard.

I would point out more importantly that conservation of our oceanographic resources and the wise management of them will, instead of being upgraded by this proposal, be downgraded, because where we have an Assistant Secretary in charge of the program now, we will in the future have only low-level bureaucrats, clearly prisoners of high level bureaucrats selected by industry on the basis of philosophy and record of service to exploiters and polluters. The Nation and conservation of precious resources demand better.

Mr. ERLENBORN. Mr. Chairman, I yield 5 minutes to the gentleman from Ohio (Mr. MOSHER).

Mr. MOSHER. Mr. Chairman, I hate to disagree with my friend, the gentleman from Michigan, but I do disagree with his interpretation of NOAA, and his characterization of the Department of Commerce.

Mr. Chairman, I urge the House to vote down House Resolution 1210.

I very definitely support the President's decision to establish the National Oceanic and Atmospheric Administration and to place it within the Department of Commerce, headed by an administrator at the rank of Under Secretary, for strong leadership.

I enthusiastically salute and thank the House Committee on Government Operations for its strong position in favor of NOAA, and its opposition to the resolution now before us. I emphasize that the committee's decision had overwhelming bipartisan support.

I repeat, it is extremely important that we vote down this resolution, in order to take the positive step of approving NOAA.

For several years, we on the Oceanography Subcommittee of the Committee on Merchant Marine and Fisheries have been seeking an effective solution to the extreme fragmentation which has existed in our national activities in the oceans, including the Great Lakes. Until now, the Federal Government has failed to recognize our Nation's crucially important opportunities, and necessities, in the oceans.

Closely related is the manmade chaos that existed in coastal zones, that narrow belt of land bordering the seas, where the majority of the world's population is concentrated.

And, also, we have neglected to recognize fully the vital fact that the oceans and the atmosphere are essentially one system.

Obviously, there is great necessity for better coordination of effort in all these areas, and thus for reorganization of the Federal agencies involved, in order to administer a much more vigorous, effective, visible national oceanic policy and program.

The President's proposal for NOAA is a direct result of our Oceanographic Subcommittee efforts, an excellent example of bipartisan teamwork that began about 8 years ago. And I want to recognize our debt to the subcommittee chairman, Mr. LENNON of North Carolina, for his leadership in that effort.

Today, our entire subcommittee stands strongly in support of NOAA.

Our early efforts culminated in enactment of the Marine and Engineering Development Act of 1966. That landmark legislation for the first time declared it to be the policy of the United States to develop, encourage and maintain a coordinated, comprehensive and long-range national program in marine science. This legislation established the National Council on Marine Resources, chaired by the Vice President and including six Cabinet Secretaries. It directed the President to establish a Commission on Marine Science, Engineering, and Resources composed of 15 members drawn from Federal and State Government, industry, universities and other institutions engaged in marine scientific and technological pursuits. Congressman LENNON and I served on that Commission for 2 years as advisory members. The Commission was given a mandate to investigate all aspects of marine science in order to recommend an overall plan for an adequate national program.

The Commission under the chairmanship of Dr. Julius Stratton submitted its findings to the President and the Congress on January 9, 1969. The report of the Commission entitled, "Our Nation and the Sea," together with its supporting appendixes, is a truly comprehensive analysis of our existing programs and shortcomings and points the way to the future. Upon reading "Our Nation and the Sea," one must conclude that we are, with respect to the oceans, at about the same stage of development as our space programs were when the Wright brothers first flew.

The Stratton Commission report contains many excellent recommendations for this Nation's future role in the oceans and the closely related field of atmospheric research. We have only just begun to analyze and implement these recommendations. The most widely heralded suggestion of the Stratton Commission was the establishment of an independent Government agency to spearhead these programs during the next decade. This recommendation became the focal point of our subcommittee hearings during the past year and a half. This was logical since everyone concerned with the Federal Government's role recognized that it had become fragmented among many different agencies, and that the efforts of these agencies overlapped to a wasteful degree and lacked any fundamental coordination. In recommending the establishment of an independent agency, Dr. Stratton and the other members of the Commission made it abundantly clear, however, that they did not consider themselves to be experts in the field of Government organization and were primarily concerned with identifying program deficiencies and recommending a substantive course of action for the future.

At the beginning of our hearings in 1969, I pointed out that it might be preferable for the President, through his powers under the Reorganization Act, to implement the basic structural changes called for by the Stratton Commission. Our subcommittee proceeded to consider legislation to establish NOAA, recognizing, however, that a major realignment of existing agency responsibilities posed numerous difficulties.

Consequently, the subcommittee maintained a dialog with the administration and the President's Commission on Executive Reorganization. I believe that this dialog led to the President's submission of Reorganization Plan No. 4.

Mr. Chairman, the reorganization plan differs in several respects from the organizational recommendation of the Stratton Commission. It does not include within this new structure the Coast Guard, nor does the plan create an independent NOAA. But I believe these two deficiencies are more apparent than real.

The role of the Coast Guard in NOAA, as contemplated by the Stratton Commission, was essentially to round out the organization. It seemed illogical to the Stratton Commission to leave out of NOAA such a large organization of ships and men, and yet an analysis of the Coast Guard's missions clearly indicates that the Coast Guard now and for the foreseeable future must dedicate itself primarily to matters relating to maritime safety and environmental protection. I have no doubt that as in the past the Coast Guard will work very closely with those you are primarily concerned with expanding our knowledge of the oceans and the atmosphere. I do not believe, therefore, Mr. Chairman, that the absence of the Coast Guard from NOAA will impede the development of our knowledge of the seas.

With the Coast Guard remaining in

the Department of Transportation, the largest single component of NOAA is now the Environmental Science Services Administration, ESSA. ESSA has performed commendably since its organization in 1965 under the Department of Commerce.

As Secretary Stans has pointed out, the Department of Commerce already has a solid base of science and technology which will buttress the foundation of a vigorous NOAA. That is the type of strength that NOAA will need.

Mr. Chairman, the National Oceanic and Atmospheric Administration, as provided in Reorganization Plan No. 4, does fulfill our basic goal of creating a point of national focus for oceanic and atmospheric programs of the future. The Administrator of NOAA, to be appointed by the President at level 3, will have the same rank as Cabinet Under Secretaries.

Our chief deficiency, the lack of effective coordination between governmental, private, and institutional involvement in the seas, will be overcome by NOAA. Unlike our space programs, this Nation's involvement in the oceans is a partnership between these various elements of society. Each is contributing substantially and each has a rightful role to fulfill in the future.

Mr. Chairman, I urge my colleagues to support Reorganization Plan No. 4 and thus to disapprove House Resolution 1210.

Mr. HOLIFIELD. Mr. Chairman, I yield 5 minutes to the gentleman from Florida (Mr. ROGERS).

Mr. ROGERS of Florida. Mr. Chairman, I thank the gentleman for yielding.

Mr. Chairman, I just want to say I too regret that I must disagree with my distinguished colleague, the gentleman from Michigan (Mr. DINGELL) about this reorganization proposal.

Our committee, as has been pointed out before, on oceanography held weeks and months of hearings on the problem of NOAA. I regret that the reorganization plan did not make the agency a separate and independent agency. I think that would have been the proper approach. I regret also that the Coast Guard was not included in the reorganization.

However, I believe this is a step forward and eventually probably will result in a separate independent organization with even more of the constituent agencies.

I have heard the argument that because sports fishing and commercial fishing would be transferred they would suffer at the hands of commerce. I do not share that feeling. I believe just the opposite will be the result.

People must realize that all of the current employees basically who are now administering those programs will be transferred almost in toto. They will not have new personnel come in who are against any of these programs. Rather, I believe this will be given new impetus and new force in the Department of Commerce, because this will be the major effort now of the Department of Commerce. It will be the largest part of

its budget, and the major emphasis of the Department of Commerce will be now in this area, and I believe we are going to see added help for sports fishing and the whole fisheries environment.

I am encouraged that this will happen. I am sure our committee will do oversight on all the activities they may carry out, and I am sure this will be the result.

I also believe they will give this added budget strength. Certainly, when we look at what has been done in the past with respect to sports fisheries and commercial fisheries, it is nothing which any of us can wave the flag about. We are far down on commercial fishing. We have gone down compared to other nations. I know I am not satisfied with respect to the activities of sports fishing off the coast of Florida. We ought to be doing more to protect and conserve the sports fisheries.

This is what I anticipate will be done. I would urge rejection of this resolution and approval of this plan as a first step in eventually bringing about an independent organization for the development of the resources of the sea.

Mr. ANDERSON of Illinois. Mr. Chairman, I rise to urge the defeat of the resolution of disapproval to Reorganization plan No. 4 which would establish in the Department of Commerce a new National Oceanic and Atmospheric Administration. I enthusiastically endorse NOAA as an essential requisite in the formulation and implementation of a national policy for the oceans. And there is no doubt in my mind that there is a need for such a policy and such an organization as man turns increasingly to the sea for new solutions to the problem of survival. As former Maritime Administrator Andrew E. Gibson put it:

It is the sea of which we must look . . . to feed a growing population. It is this sea from which we must harvest not only food-stuffs but its vast resources of minerals. It is the sea to which we must look by means of desalination for the very water necessary to sustain life in the future. . . . Put succinctly, as a nation and people . . . we will live or die by the sea.

Mr. Chairman, the Congress recognized this back in 1966 with the passage of the Marine Resources and Engineering Development Act. In that act we established a National Council on Marine Resources in the Executive Office of the President, and we authorized a 2-year study to be made by a newly created Commission on Marine Science, Engineering, and Resources under the able chairmanship of Dr. Julius A. Stratton. The results of that exhaustive study were released in January of last year in the report, "Our Nation and the Sea." One of the top priority recommendations of that Commission was the creation of a National Oceanic and Atmospheric Agency.

In the words of the Stratton Commission report:

We believe that it will mobilize the resources of our Government in the most effective manner to lend strength and power to the Nation's marine commitment. The incremental cost in taking prompt action for consolidation will in itself be relatively small. The added effectiveness for the fulfillment of the national program should be enormous.

The Commission report went on to note that the proliferation of marine programs throughout some 23 departments and agencies of the Government made virtually impossible any unified national thrust in the oceans, and therefore, "a new, strong Federal focus for marine activity" was urgently needed.

Mr. Chairman, after reading the Stratton Commission report early last year, I concluded that this was a major area for national concern, and I testified before the Oceanography Subcommittee of this body in favor of a new organization for the oceans. All told, that subcommittee heard some 92 witnesses on the NOAA proposal, most of whom urged affirmative action on this proposal.

I think we owe a great debt of gratitude to the Stratton Commission, to the Oceanography Subcommittee, to the Ash Commission, and finally to the administration for bringing this proposal to full fruition in this reorganization plan. While this NOAA differs in some respects from that originally proposed by the Stratton Commission, it still draws heavily from their recommendations both as to structure and role.

Under this reorganization plan, a number of Federal marine-related missions will be brought together under NOAA in the Department of Commerce for the purpose of fully and effectively exploring and developing our marine resources while avoiding the type of oceanic environmental degradation and depletion which might result from a haphazard approach. This plan recognizes the need and indeed the necessity for a coordinated and unified national ocean policy to avoid the perils of pollution and overpopulation and deliver on the promises and potential of this last great frontier on earth. If we do not organize effectively for the careful exploration and constructive exploitation of this last great frontier, we will soon be faced with a global resource problem of crisis proportions. It would be little consolation to know that this would be our last crisis on earth.

Mr. Speaker, I urge defeat of this resolution so that we can get on with the very exciting and urgent task of meeting the challenges and possibilities which lie waiting beyond our shores.

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

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

I should just like to say this is an important plan, as we note when we study the number of employees, 13,250 positions, and the projection of 13,750.

Most of these functions that are to be transferred over to this one entity are related services and related functions in the field of national oceanic and atmospheric programs. We are proliferating these programs all over the map, and there has to be some concentration of them so that we will know where they are and can handle them as an entity rather than in fragmented areas.

The success of this agency will depend, in my opinion, more upon adequate funding and adequate programs than it will on the actual structure involved. It

can be good the way it is, or it can be just as good or perhaps better if it is put together into one agency, but in the last analysis it will depend upon how much financial support is given to these agencies and functions that are outlined under this consolidation of like functions.

I believe that the President under the reorganization plan procedure has set up a plan which is orderly and which in general comports with the purposes of the Reorganization Act. Therefore I am supporting the plan.

Again, because this is a resolution of disapproval, those who vote on this plan who are for the plan will vote "no" on the disapproving resolution and that automatically will be a vote for the plan.

Mr. Chairman, I have no further requests for time, and it has been stated on the other side that there are no further requests for time.

The CHAIRMAN. The Clerk will read. The Clerk read as follows:

H. Res. 1210

Resolved, That the House of Representatives does not favor Reorganization Plan Numbered 4 transmitted to the Congress by the President on July 9, 1970.

Mr. HOLIFIELD. Mr. Chairman, I move that the Committee do now rise and report the resolution back to the House with the recommendation that the resolution be rejected.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker having resumed the chair, Mr. ANDREWS of Alabama, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration House Resolution 1210, to disapprove Reorganization Plan Numbered 4, he reported the resolution back to the House with the recommendation that the resolution be rejected.

The SPEAKER. The question is on the resolution.

The question was taken.

The SPEAKER. In the opinion of the Chair, the resolution, not having the affirmative vote of a majority of the authorized membership of the House, is not agreed to.

So the resolution was rejected.

GENERAL LEAVE TO EXTEND

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

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

There was no objection.

THE AMERICAN SECURITY COUNCIL AS VIEWED BY A MAN WHO NEVER THROWS ANYTHING AWAY

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

Mr. VAN DEERLIN. Mr. Speaker, we were treated last week to another of

those campaign-year reliables, the "rating" of Senators and Congressmen according to the ideological lights of a particular organization.

The new entry in this field calls itself the American Security Council, listing headquarters at 1101 17th Street NW., here in Washington.

The council's approach was essentially the same as other rating systems on behalf of business, or labor, or organized veterans. It was based, sponsors said, on a selected group of 10 votes touching on war policy and military preparedness.

Only difference between this and other vote rating systems was that the American Security Council based its own positions on the results from a mass computerized questionnaire which it sent out in mid-July.

Impartial observers might charge that the council's multiple-choice questions were loaded, or in the main so heavy handed as to be useless in determining foreign policy positions in the world of 1970.

But that would be a matter of opinion. I am more interested at the moment in pointing up a demonstrable fact concerning the American Security Council—for the discovery of which I am indebted to my own slovenly habit of rarely throwing anything away. It is this:

The American Security Council questionnaire which was sent to me—"an opinion leader in Washington"—on July 15 carried a mailing tab unmistakably identical to mailings which have arrived at my home from numerous other organizations—all of them legitimate, but all identified with the far, far right.

One of these groups utilizing the same mail list was the Conservative Victory Fund. In this one our colleague, the gentleman from Ohio (Mr. ASHBROOK) was urging me—also by computerized letter—to join in an effort to defeat such good friends as JOHN BRADEMANS, DON EDWARDS, and DICK FULTON—and to help boost the fortunes of Senator MURPHY and Phylis Schlafly, among others.

In another mailed message delivered to my door with the very same address tab, Senator BARRY GOLDWATER asked me to send \$15 to Young Americans for Freedom—ostensibly to help counter a million-dollar kitty purportedly collected by the New Mobe for their moratorium rally last October.

Still another appeal came from the National Right To Work Legal Defense and Education Foundation, Inc.—again with the same, easily identified mailing tab. The thrust of this organization's message was that union officials alone had socked \$60 million into Hubert Humphrey's campaign, and unless we right-thinking citizens took legal action to halt them, those same union officials would spend even more in this year's congressional elections. The range of suggested contributions: \$5 to \$500.

On and on runs the identically addressed torrent—appeals from every conceivable new creation of that far-out fringe of the right, usually with the right palm turned upward in a political campaign year.

I commend these organizations on their frugality in combining mail lists.

And I suppose if I did not save them all, in desk space that surely could be put to better use, I might be fooled into supposing that each of these peas came from a different pod.

Mr. Speaker, I shall be glad to share the fruits of my easily assembled detective work with anyone interested in inspecting it. Meanwhile, any colleagues low rated by the American Security Council should be no more concerned than if their rating came from the liberty lobby.

Which it probably did.

THE UNITED STATES MUST RESPOND PROMPTLY TO NEW SOVIET THREAT IN CUBA

(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, the White House statement last Friday, September 25, that the United States would view with grave concern any attempt to establish a base in Cuba for the servicing of Soviet nuclear submarines, came none too early.

I fully support the President's statement.

This public warning to the Soviets appears to be based on intelligence developed by the Department of Defense, indicating that such a base is in the process of being established at Cienfuegos in the southern part of Cuba.

I am today calling the Subcommittee on Inter-American Affairs to meet in an urgent executive session with high Government officials, to review this situation.

I am also requesting the chairman of the Armed Services Committee to give every consideration to the requirements of strengthening our military and naval capability in the Caribbean region.

Nearly 3 months ago, in the course of my subcommittee's hearings reviewing the security situation in the Caribbean, I raised this very issue with high-ranking officials of the administration and the top U.S. military commanders responsible for the Caribbean region.

I had stressed that only a short time earlier, in May of this year, the second group of Soviet naval units visited the Caribbean and first stopped in Cuba at the port of Cienfuegos.

That Soviet naval force included an Echo II type submarine which had nuclear capability, eight firing tubes, and a range of approximately 400 miles.

I had pointed out to executive branch witnesses that the presence of Soviet nuclear naval units was drastically changing the security balance in the Caribbean and required the U.S. Government to take prompt steps to reverse the policy of curtailing our naval and shore facilities at Key West, at Boca Chica, at the Homestead Air Force Base, and at other installations in Southeastern United States.

Adm. E. P. Holmes, commander in chief of our Atlantic Command, agreed that it would be a "folly" to cut down U.S. military and naval capability in the face of this new Soviet threat.

On July 8, and during subsequent hearings, I repeatedly called to the ad-

ministration's attention the many reports which I received indicating that facilities for servicing Soviet nuclear submarines were being constructed in Cuba.

Information now available to the Department of Defense and the White House seems to confirm those reports.

I believe that it would be a drastic mistake for the administration to invite a repetition of the 1962 Cuba missile crisis by failure to act promptly and decisively to nip this new Soviet challenge in the bud.

The track record of Soviet policy has demonstrated that once they embark upon the course of trying to change the military balance in a given region, they will continue ahead until they are stopped.

This has almost happened once in Cuba. It has happened since in the Mediterranean, in the Indian Ocean and in other areas.

As the first step, I believe it is imperative that the United States move promptly to beef up our military capability in the Caribbean region. This means that our facilities at Key West, Boca Chica, and Homestead should be immediately restored to full strength.

The stakes involved in any potential conflict in the Caribbean, and particularly in any United States-Soviet confrontation in that region, are going up each day.

I warned about this months ago, and I am today repeating that warning.

I believe that to wait any further is to court disaster.

The United States should and must respond promptly and forcefully to this new Soviet challenge.

I am gratified that the White House is turning its attention to this urgent problem. I hope that this will result in actions along the lines I have suggested.

Mr. SIKES. Mr. Speaker, will my distinguished colleague yield?

Mr. FASCELL. I yield to my distinguished colleague from Florida.

Mr. SIKES. I wish to commend my distinguished colleague from Florida upon his statement. I endorse what he has said and join in his concern. I feel that the United States must move, and move vigorously, and that the committees of Congress should fully explore the threat to our security and to the hemisphere, which appears to be developing, in the area to which the gentleman referred.

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

Mr. FASCELL. I yield to the distinguished chairman of the Committee on Armed Services.

Mr. RIVERS. I thank the gentleman. I assure him that we have known about the proposed base for some time, and I have been preparing to release some remarks on the subject. For 4 months I have been preparing remarks, which I intend to deliver today. In a conference report, consideration of which we concluded on Thursday, we have included \$435 million for the Navy as a beginning effort to beef up our Navy to be able to meet the threat we know the Soviets are

creating. The item is in the conference report which will be up tomorrow. But this afternoon I intend to speak on the subject.

I want to thank the gentleman. The time is now to do something about this.

Mr. FASCELL. I agree with the gentleman from South Carolina.

MRS. JESSIE BALL DU PONT PASSES

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

Mr. BENNETT. Mr. Speaker, Mrs. Jessie Ball du Pont, of Jacksonville, Fla., and Wilmington, Del., passed away at Nemours, her estate near Wilmington, on this past Saturday, and will be buried there today. She was one of the most beautiful characters I have ever known, full of love for humanity and with a zest for life, and wholesomely dedicated to making life better for others. Yet, she never claimed credit for the vast amount of good she did; and most of it was done anonymously.

Since she was the widow of an extremely able and wealthy man, Mr. Alfred I. du Pont, and the sister of another outstanding business leader, Mr. Edward Ball, some who knew her only slightly assumed that her tremendous accumulation of wealth was the result solely of the work of these able men; but those who know anything of the actual facts know that she has been an extremely successful businesswoman in her own right for half a century.

She established the Alfred I. du Pont Foundation for Crippled Children, a dream of her late husband; and she otherwise carried on the philanthropic objectives of this sensitive and strong man, whom I also had the pleasure to know before his death 35 years ago. And she had a strong conviction of the need to keep vital the independent colleges of the country, particularly those which were church oriented. Her philanthropies in this field have been little published but they were tremendous.

Several weeks ago, Mr. Speaker, my family and I went to Nemours to pay our respects during a congressional recess, as she had repeatedly asked us to do. We learned sadly from her doctors that she would not be with us long. But regardless of how certain is the closing of life, it is always a shock and a personal tragedy to those who are left behind.

Few persons ever had the outstanding talents and opportunities of this great lady; and none ever used them better for mankind, I am sure. All thoughtful Americans join me in deepest sympathy to her brother, Ed Ball, her sisters and her daughter, Mrs. Carl Zapfee, and her other relatives and close friends.

Mr. Speaker, Ralph Waldo Emerson once observed that most of us fret ourselves into nameless graves while here and there some noble soul forgets himself into immortality. Such a person was my beloved friend, Jessie Ball du Pont.

This morning's edition of the Washington Post carried the following announcement of her death:

JESSIE BALL DU PONT

WILMINGTON, DEL., September 27.—Mrs. Jessie D. Ball du Pont, 86, third wife of industrialist Alfred I. du Pont, died Saturday at her family estate near here.

Her husband, who died in 1935, organized E. I. du Pont De Nemours and Co., and was one of the world's richest men. He was a grandson of the founder of the Du Pont industrial empire.

It was reported in 1964 that Mrs. du Pont received from the Alfred I. du Pont estate a total of \$58.8 million from 1951 to 1962, \$6.6 million in 1962 alone.

Mrs. du Pont was a native of Virginia and was married to the industrial magnate in Los Angeles in 1921. She was then 36. She was a descendant of Mary Ball Washington, mother of George Washington.

Mr. du Pont was divorced from his first wife, the former Bess Gardner of Philadelphia, in 1906. His second wife, Mrs. Alicia Bradford Maddox, of New York City, died in 1908.

Mrs. du Pont had lived in seclusion at Nemours, the family estate, for a number of years. Her secretary said she died of pneumonia.

Mrs. du Pont was a major benefactor of such institutions as Hollins College, Washington and Lee University, the Virginia Museum of Fine Arts, Mary Washington College of the University of Virginia, the University of the South and the Alfred I. du Pont Institute for crippled children.

In 1957, for example, Mrs. du Pont gave Hollins College a gift of \$271,000, half of it to go toward a chapel and the other half for the Alfred I. and Jessie Ball du Pont scholarship fund.

She made two gifts in 1947 totaling \$112,000 toward Washington and Lee University's bicentennial fund.

In 1956, Mrs. du Pont was selected by the Virginia Chamber of Commerce for a special award for "her service to Virginia and to education in the Old Dominion." She was the first woman to receive such an award.

Mrs. du Pont broke a 210-year tradition in 1959 when she became the first woman on the Board of Trustees of Washington and Lee University. She was appointed to succeed Sen. Harry F. Byrd (D-Va.) who had resigned.

Funeral arrangements were incomplete. However, burial was expected to be next to her husband at the estate.

She is survived by a daughter, Mrs. Carl Zapfee, of Baltimore, three stepchildren, eight grandchildren and two great-grandchildren.

RUSSIAN SUBMARINE BASE IN CUBA

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

Mr. ROGERS of Florida. Mr. Speaker, I think all the Members of the House are greatly concerned by the evidence of the showing that Russia is trying to build a submarine base in Cuba.

I have by wire contacted the distinguished chairman of the Armed Services Committee as well as the Foreign Affairs Committee urging that the committees call the Defense and State Departments before them and investigate this matter.

It is a serious development, and the people of this Nation are vitally concerned. I am sure, as he has in the past,

that the chairman of the Armed Services Committee will respond by looking into this matter which can vitally affect the defense of this Nation.

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

Mr. ROGERS of Florida. I yield to the gentleman from South Carolina.

Mr. RIVERS. Mr. Speaker, I believe the gentleman understands I will approach this in a little different manner than the chairman of the Foreign Affairs Committee, but I will look into it.

Mr. ROGERS of Florida. Mr. Speaker, I thank the gentleman from South Carolina, and I would urge his close investigation into this matter.

NATION'S HOUSING CRISIS

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

Mr. WIDNALL. Mr. Speaker, the other day, one of my colleagues made a speech blaming the Nixon administration for the Nation's housing crisis. While I must admit that we are indeed in the midst of a housing crisis as severe as any this Nation has ever faced, I should point out several things:

First, President Nixon's administration did not cause the housing crisis. It was inherited from the Democrats. The Housing and Urban Development Act of 1968, the product of a Democrat administration and a Democrat-controlled Congress, documented the housing need at 26 million housing units over the next 10 years—1968-78. This goal was reaffirmed by President Johnson's National Commission on Urban Problems in its report to him in 1968.

Second, the reason why the housing crisis persists is because of inflation. And inflation is the unfortunate result of unwise guns-and-butter overspending of the Johnson administration. This inflation has hit the housing problem from several directions all at the same time. It has caused the cost of homebuilding, including land, labor, materials, management, and financing to increase 10 percent since 1968. It has made financing home purchase more difficult and costly. And it has increased the price of existing housing, often pricing it out of the market for which it was intended.

Third, although the Nixon administration inherited a severe housing problem together with a war-induced inflation which has exacerbated the housing problem, a number of specific steps have been taken which are beginning to bring results.

The most important step to take in curing the housing crisis is to curb inflation. As Federal Reserve Board Chairman Arthur Burns said on February 7, 1970:

There can be no doubt whatever that the single most important contribution toward improving housing market conditions would be success in the present struggle to check inflationary trends and expectations. Nonetheless, it must be recognized that it takes time to overcome an inflationary momentum that has gathered headway over a span of years dating all the way back to 1964.

The Nixon administration has instituted a number of fiscal and monetary changes designed to bring inflation under control. Just last week we heard the heartening news that the prime interest rate had dropped from 8 to 7½ percent and that the cost of living rose less in August than in any month since December 1968. Nixon's anti-inflationary policy, it appears, is paying off. This success should be reflected in an easing of the housing finance situation in the near future. The lower prime rate, especially should mean that very soon home mortgages will be down to the point where the average family can begin to afford to buy a home. Unfortunately, the Democrat-controlled Congress did not see fit to adhere to Nixon's fiscal policy which called for a \$1.3 billion surplus in fiscal year 1971. Such a surplus would also have had the effect of making more money available for investment and thereby forcing down interest rates. Rather than a surplus, however, the Democrats have passed legislation which so far has added \$2.7 billions to the President's fiscal year 1971 budget.

The administration has also increased the flow of funds into mortgages by extending the Fannie Mae commitment and by adjusting interest rate ceilings on FHA and VA mortgages.

Attacking the housing problem from another direction, the President also took steps to stabilize the cost of building materials. The Department of Agriculture was directed to use a supplemental appropriation for fiscal year 1969 and an increased appropriation for 1970 to provide additional timber from national forests. The Department of Interior was directed to make available increased timber for sale. And the Interstate Commerce Commission issued orders to relieve the shortage of boxcars used to move lumber and plywood from the Northwest. As a result of these measures, the sharp increase in prices which had seriously affected the building costs for single family homes and small apartments was reversed. Lumber and plywood prices have declined from their high levels of a year ago.

Working to relieve the labor shortages that have helped push housing costs up, the Nixon administration has initiated special job training programs to make entrance into the labor market easier. At present, 250,000 students are enrolled in construction training; the Department of Labor is encouraging local surveys and reports on specific manpower needs; and the Department of Health, Education, and Welfare is helping States develop plans for vocational education in secondary schools, postsecondary schools, and cooperative education programs which emphasize preparation for the construction industry.

In addition to attacking inflation, materials costs, and labor shortages, the Nixon administration has launched an imaginative program, Operation Breakthrough, which aims at developing entirely new ways to go about meeting our housing needs. Operation Breakthrough seeks to apply the principles of mass production to homebuilding so that the dis-

coveries of industrial research and technology can be used to move homebuilding out of the Middle Ages. As this succeeds, volume production and economy of scale will become possible, permitting greater efficiency in the design, production, transfer, financing, and management of our national housing effort. This will mean attractive, well-built homes at prices families can afford.

Because of these efforts by the Nixon administration, the housing outlook is a lot brighter than it was when Nixon took office in January 1969. His efforts to control the inflation which the Democrats bequeathed to the Nation in the 1960's, means that soon the housing problems that accompanied the inflation will begin to respond. The additional administration efforts to control materials costs and labor shortages and to develop new housing construction approaches will help us beat this housing shortage in the 1970's.

According to a Wall Street Journal article, appearing on September 24, there are already tangible signs that the housing situation is improving. The article follows:

Home builders begin to sound a bit more optimistic.

There's still plenty of gloom in the industry, which has been hit hard by tight money. But signs of improvement are easier to come by now. The Council of Housing Producers, whose 13 members are among the major home builders in the U.S., says members expect to build about 33% more units in 1970 than a year ago. Houston's Westchester Corp., which had anticipated selling 225 homes this year, now expects to build about 300. In Pittsburgh, Ryan Homes, a big builder of single-family units, says business is "up substantially."

"We think it's quite obvious that the tight money situation is easing," says Eli Broad, chairman of Kaufman & Broad, a Los Angeles builder that expects housing starts in the last half to be up "at least 30%" from a year ago. This week's cut in the prime lending rate by major banks has added to optimism that more money will be available for housing.

THE SOVIET THREAT

The SPEAKER. Under a previous order of the House the gentleman from South Carolina (Mr. RIVERS) is recognized for 60 minutes.

(Mr. RIVERS asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. RIVERS. Mr. Speaker, never before in the 30 years of my membership in this body have I stepped into the well of this House with greater concern for the future of this Nation.

The fears that I have are those that must be shared by every American regardless of his political or social philosophy or his economic status.

All Americans have been given the blessed and priceless heritage of freedom—a freedom which I am convinced is in terrible jeopardy.

My critics, who are legion, will attempt to dismiss what I say today by categorizing them as the shrill cries of a hawk who is suffering the agonies of reduced defense expenditures.

If this occurs, I will have failed my purpose since I believe that these critics, who love America no less than I, will, if they assess my words carefully, find that we not only have a common concern, but a common and frightening peril.

The Congress is now engaged in a great and protracted debate over foreign policy and the defense budget.

Unfortunately, the debate in the other body has again distinguished itself by its indecisiveness and, regrettably, its apparent sense of hopelessness. Thank God that this body, despite its uninhibited free swinging debate, continues to be capable of making clear-cut and courageous decisions when our Nation's security is at stake.

My words today are, therefore, intended as much for the Members of the other body as they are for you and, perhaps even more importantly, they are intended for the American people. For in the last analysis, it is the American people who stand to lose everything if we fail to discharge our awesome responsibilities in respect to our national defense.

Consideration of the defense budget, contrary to what some would have us believe, is not a question of assigning relative priorities between defense and domestic programs.

Decisions on the defense budget should be based on the simple question of national survival—and nothing more.

The issue should be "what is required to survive?"; and not "how should we allocate the national budget between defense and domestic programs?"

The final measure of our ability to survive as a nation in a hostile world will not be how well we have managed our domestic resources and domestic programs, but whether or not we have avoided and frustrated the forces of evil which would draw us into the crucible of war with the Soviet Union.

If we fail in that endeavor, we will have failed in everything.

It is this circumstance which demands that we maintain a level of strategic and conventional military capability that will insure against any misunderstanding by the leaders in the Kremlin of our intentions to survive.

Regrettably, the leaders in the Kremlin are now evidently unimpressed by both our military capability and our national determination to survive.

That our determination to survive is suspect requires no elaboration. The dissident voices in our Nation who would destroy the very fabric of our society are being interpreted by the leaders in the Kremlin as the voices of the American people. This fact together with our evident unwillingness to support a defense establishment geared to national survival has created a very dangerous atmosphere in which the Soviet Union may be tempted into actions which can only ultimately result in a nuclear holocaust.

Since the deterioration of our military capability vis-a-vis the Soviet Union is no secret to the Kremlin, I believe it is high time that we tell the American people the facts of life. I plan on doing that today.

First, since we all recognize the vital importance of being a maritime nation, and because of our dependence on the free use of the seas, let me tell you some sobering facts about Soviet naval strength.

The Soviet Union is now one of the world's two leading sea powers—and possibly the leading power. When Admiral Gorshkov assumed command of the navy in 1956, it was largely a water-borne adjunct of the ground forces. Today, it is a well balanced modern force which is equally at home on the high seas as it is in coastal waters.

Soviet naval units now frequent waters which only a few years ago were considered the private preserve of Western naval forces.

It was only in 1964 that the Soviet Navy began continuous deployments in the Mediterranean; now, since the Arab-Israel war of 1967, a flotilla of nuclear submarines and missile-armed surface ships have been continuously operating there.

This Mediterranean presence has at times attained a flotilla strength of 65 naval vessels, including submarines and support ships.

As a consequence, today Soviet naval forces constitute a major political and military presence in the Mediterranean.

This naval presence has also been extended into the Indian Ocean, and the farthest reaches of the Atlantic and Pacific Oceans.

Soviet submarines and warships equipped with missiles now operate off the coast of the United States, as well as the Caribbean and off the coast of Africa and Southeast Asia.

The worldwide Soviet naval operation "Ocean" which was conducted during April of this year involved more than 200 ships and submarines, and was their announcement to the world that they have developed and intend to flex their naval muscle simultaneously in the four corners of the world.

The Soviet surface fleet now includes two helicopter carriers, about 24 cruisers, 35 guided missile destroyers, 50 gun-armed destroyers, more than 100 destroyer escorts, and literally thousands of smaller ships, minesweepers, coastal escorts, support craft, and intelligence collectors.

The greatest Soviet naval strength is in its submarine force—the largest ever created in the history of the world. The fleet presently has approximately 350 submarines, 80 of which are nuclear powered.

The new Soviet Polaris-type submarine can fire 16 ballistic missiles to a range of at least 1,300 miles; at least 13 units of this class are already operational, and these units are being produced at the rate of 8 to 10 each year. They are testing a new submarine ballistic missile estimated to have a range of 3,000 miles. This missile will probably be back fitted into the existing Soviet submarine fleet.

At the present rate of construction, the Soviet fleet of these Y-class ballistic missile submarines will surpass the U.S. fleet of 41 Polaris submarines by 1973 or 1974.

In addition to the Y-class ballistic missile submarine, the Soviet Navy has approximately 40 older ballistic missile

submarines which carry three launchers each. Nine of these submarines are nuclear powered, and are probably targeted against European or Asian targets, whereas the more modern Y-class missile submarines are, for the most part, targeted against the United States.

The Soviet Navy also has about 65 submarines, 35 of which are nuclear powered, equipped with supersonic cruise missiles, some having ranges up to 400 miles. These submarines are designed to attack both naval and merchant ships. In addition, the Soviet Union has about 240 other submarines which are designed for torpedo attack missions against surface ships or other submarines. Twenty-two of these are nuclear powered.

In evaluating the Soviet submarine fleet, it must be remembered that the German submarine fleet which almost won the battle of the Atlantic, included only 57 diesel submarines in the early months of World War II.

The Soviet nuclear submarine construction capability now is about 20 units a year based on working one work shift a day; by working three shifts a day they have the ability to produce 35 nuclear submarines a year. Today they are building at a rate of from 10 to 14 per year. One Soviet yard alone has several times the area and facilities of all the U.S. submarine yards combined.

The Soviet Union is expanding its production of Y-class nuclear-powered ballistic missile submarines, and I estimate that approximately 50 units of this new missile class will have been completed by as early as mid-1974.

By contrast to Soviet submarine strength, the United States today has only 147 operational submarines of which 88 are nuclear powered, and of which only 47 are configured as submarines primarily designed to combat the Soviet submarine threat. The other 41 nuclears are our Polaris missile firing submarines.

Despite the 47 U.S. nuclear attack submarines designed and available to combat the Soviet submarine threat, the latest Soviet nuclear submarines have a submerged speed which is significantly higher than anything we previously contemplated or expected.

It is this chilling fact that has compelled the Committee on Armed Services to insist that we go forward immediately on the construction of the new nuclear-powered 688-class submarine which we hope will be able to cope with this significant and deadly Soviet capability. However, regardless of how rapidly we proceed on the construction of this new class of submarines, it will be years before they become operational in significant numbers, and in the meantime Soviet technology will undoubtedly strive to minimize this almost unbridgeable gap in our defensive response to this Soviet submarine threat.

This existing and ever-widening gap in our defensive capability to meet the Soviet submarine threat is simply a current reflection of the past unwillingness of defense budgeteers to provide for a modern Navy.

Practically every surface ship in the Soviet fleet has the Styx missile. Now for you who do not know what the Styx missile is, let me tell you a few shocking

facts. This is a short-range naval missile which travels at approximately sonic speed and can be carried on almost the smallest type of naval craft. It has tremendous reliability and, most unfortunately, we have little in the way of a reliable defense against this type of missile attack.

These surface-to-surface missiles enable small torpedo boats to duel with cruisers and large combatant surface vessels by outranging the conventional naval artillery on these ships.

Unfortunately, we again do not have a missile of this capability in our own operational inventory.

The surface naval vessels of the United States are, as compared to the Soviet Union, if anything, in worse condition than those of the undersea fleet. No purpose would be served in attempting to detail these deficiencies except to point out that the Comptroller General of the United States recently submitted a secret report to the President of the United States and the Congress on the impaired combat readiness of the Navy's Atlantic and 6th Fleets.

In that report, the Comptroller General in commenting on the readiness of these naval vessels stated, and I quote:

Approximately 80% of the major ships in the Atlantic Fleet are over ten years old, and 50% are over 20 years. In April 1969, the average age of the ships of the Sixth Fleet was 18.3 years.

The Comptroller General, in commenting on the relationship of the age of our naval vessels and their inability to maintain combat readiness pointed out that "prior to 1964 engineering casualties" represented approximately one-quarter of the circumstances which required immobilizing a ship, but because of the advancing age of the vessels "in 1964 the engineering casualties began to increase, and by the end of 1968, they accounted for about 50 percent of the total casualties."

The Comptroller General went on to say that—

This trend was evidence of the fact that the ship's platforms and associated propulsion systems were being affected by excessive age, plus a lack of parts for equipment, which in some instances, was no longer being manufactured.

The sum total of the General Accounting Office's secret report is that under current conditions fleet readiness for sustained wartime operations is:

At best, marginal due to the lack of qualified personnel, poor logistical support, and the need for modern ships. The fleets are capable of handling a contingency but are only marginally capable of maintaining a high level of sustained operations.

Without revealing information which would give aid and comfort to the Soviet Union, I also feel compelled to tell this House that not very long ago I was told that the combat condition of our cruisers and destroyers in the Atlantic Fleet was so bad, both from a materiel breakdown and personnel shortage viewpoint, that more than half of them were in a condition that would have seriously affected their combat capability. As a matter of fact, some of these ships could not have

engaged in any kind of naval confrontation.

I cannot overemphasize the seriousness of this situation. Yet, I know that there are people in the Congress of the United States who will say "so what?" I can only warn the Members of this House that we are on the brink of disaster and I have never before been so concerned in all the years I have served in the Congress of the United States.

We must, therefore, acknowledge the fact that our naval vessels are today simply not capable of discharging their wartime mission requirements if called upon to do so.

I believe these facts are as close to proof positive as I can make available to the American people that if we are not already a second-rate naval power, we are perilously close to becoming so.

I need not emphasize that in a war with the Soviet Union there will be little solace in being in second place.

As sure as I stand before this House, there will be a confrontation in the Mediterranean between the Soviets and ourselves. They will create the incident to suit their convenience. And how will we respond? At the rate we are going now, considering the condition of the 6th Fleet, in fact the entire Atlantic Fleet, and the tremendous strides made by the Soviet naval forces, we would be forced to back down. Why do I say this? What did we do recently when a Russian trawler came within 200 yards of the nuclear submarine *James Madison*, off Cape Kennedy? We postponed the test launching of a Poseidon missile—and this is in our own backyard. Moreover, when we finally made the test launch of the Poseidon missile, the Russians literally moved into the test area and attempted to preempt our recovery of important fragments of the missile launch.

For years the Navy, in particular, has been accused of reporting Soviet submarines off our coasts just about the time the defense appropriation bill is debated on the floor. While these sightings have invariably turned out to be accurate, nevertheless those who oppose appropriations for the Navy always found it convenient to ridicule these intelligence reports which coincided with the consideration of appropriations for the Navy.

So now I would like to say to the doubting Thomases, if there are any remaining in the House, that if you would care to see for yourself a Soviet task force in the Caribbean, all you have to do is fly around the Caribbean area and you will see a *Kresta* class guided missile light cruiser, with surface-to-surface and surface-to-air missiles; a *Kanin* class guided missile destroyer, with surface-to-air missiles; a Soviet tanker and a Soviet submarine tender. I need not tell you that a submarine tender tends submarines. There are three other Soviet surface vessels in the Caribbean area: an LST; a salvage ship and a rescue ocean tug.

For those of you who have scoffed at the constant warnings that have been issued by the House Committee on Armed Services with respect to the rise

of Soviet seapower, let me remind you that the Soviets deployed combatant ships to the Caribbean area in July and August of 1969, and again in May of this year.

In 1969, the Soviet task force consisted of three guided missile ships—a cruiser, a frigate, and a destroyer—two attack submarines, one nuclear-powered attack submarine; a submarine tender, and two tankers.

In May of this year, the Soviets deployed a guided missile light cruiser, a guided missile destroyer, two attack submarines, a nuclear-powered cruise missile submarine, a submarine tender and a merchant tanker.

All of these ships have conducted operations in the Caribbean area.

The deliberate and calculated offensive plans of the Soviet Union are now becoming crystal clear with the release of information by the administration of evidence of new Soviet activity in Cuba. I have no doubt that the Soviets are now building a missile-launching nuclear submarine naval base in Cuba.

We, as a nation and a free people, cannot ignore or accept this latest military action of the Soviet Union.

On October 23, 1962, President Kennedy issued a proclamation which reasserted the principle of the Monroe Doctrine as it applied to the Western Hemisphere and the introduction of nuclear weapons by a foreign power.

At that time, President Kennedy delivered an ultimatum to the Soviet Union to remove their nuclear offensive weapons capability from Cuba, or in the alternative such weapons would be removed forcibly by our military forces.

Regrettably, we are once again confronted with a crisis of the same gravity despite the waffled rhetoric which we may hear on the subject.

We cannot live with this new Soviet threat at our very doorstep.

We cannot permit the cities of the eastern seaboard to become hostages of the Soviet Union.

We must take every diplomatic, and if necessary military, step to excise this cancer from the body of the Western Hemisphere.

We must do it quickly and decisively if we are to maintain some shred of credibility as a world power—and the American people are willing to accept any action to accomplish this end.

You are eyewitnesses to the rise of Soviet seapower which is inexorably pushing us out of the Mediterranean, is firmly entrenched in the Indian Ocean, and is now established in the Caribbean.

And yet there may still be some among you who would deny additional funds to rebuild our Navy, which is fast becoming a second-rate naval power. The Soviets learned their lesson from the blockade that we threw around Cuba. Why is it that they have learned their lesson so well while our memories remain so short?

Mark my words well—one of these fine mornings we are going to be told by the Russians, in the most unmistakable terms, to get out of the Mediterranean.

In 1962 we had the power and the Soviet Union knew it, to reject such a challenge—I can tell you that today we

do not have that superiority—the Soviets know it—and it is high time the American people know this bitter fact of life, and start worrying about its implications.

Do not be misled into believing we can make up for this frightening loss of naval superiority by relying upon a superior strategic nuclear capability, vis-a-vis the Soviet Union. Since 1965 the Soviet Union has engaged in a major effort to change the balance of power in this area of military capability. In that period it has more than tripled its inventory of strategic offensive nuclear weapon launchers from about 500 to 1,700, including some 200 nuclear heavy bombers in both.

In the same period, the United States has made no increase in its established level of 1,710 strategic nuclear missile launchers, and has reduced its heavy bomber strength from 780 to less than 600.

In 1965, the Soviets had none of the monster SS-9 missiles operational. Today, the U.S.S.R. has more than 200 SS-9's operational, with an ultimate total of approximately 300 when current construction effort is completed.

Although the 300 SS-9's will represent considerably less than half of the total inventory of the Soviet land-based ICBM's, this portion of the Soviet ICBM inventory will alone be capable of delivering a megatonnage in nuclear weaponry which exceeds the combined total nuclear weapon megatonnage delivery capability of all of our existing strategic delivery systems, including not only our ICBM force, but our Polaris force, as well as our heavy bomber force. Certainly this fact alone ought to raise serious questions concerning the alleged "defensive" posture of the Soviet Union.

We have no counterpart for this huge Soviet nuclear weapon delivery system.

A few weeks ago an article appeared in a prominent weekly news magazine in which the writer dismissed U.S. concern over the SS-9 missile by saying that "comparison of the Soviet SS-9 and the U.S. Minuteman is misleading; they are different weapons systems designed for different purposes." The clear inference which the writer attempted to establish was that the Soviet SS-9 would only be used by the Soviets as a defensive missile against our Minuteman strike capability; whereas our Minuteman is designed to attack cities, and consequently this tremendous difference in the megatonnage of the two weapons really was unimportant.

It is this type of wishful thinking with which some of our so-called "civilian military experts" in the news media confuse the American public. The fundamental fact remains that the Russian options on utilization of their nuclear capability has been immeasurably increased by the addition of the SS-9 to their operational inventory. The real and deadly threat to U.S. security, therefore, remains regardless of how we may temporize or sugar-coat this simple but unpalatable fact.

In 1965 neither the Soviet Union nor the United States had a depressed trajectory ICBM or a fractional orbital bombardment system—FOBS. Today, the So-

viet Union has tested both, and could very well have operational versions of these weapons systems already deployed. Both of these developments have far-reaching implications on our defense capability.

Unfortunately, we have nothing like these, and to the best of my knowledge, none on our drawing boards.

Today the Soviets can launch over 200 ballistic missiles from their nuclear-powered submarines. Two years from now 400 to 500 of these Polaris-type missile launchers are expected to be operational, and by early 1974, this Soviet submarine-launched ballistic missile force will inevitably exceed the constant U.S. force we now have of 656 Polaris launchers. Further, most of our major cities are close to our coasts within short range of their potential submarine stations. Thus they can launch their attacks with little time for us to react before being hit.

Up to the present time, the Atlantic and Pacific Oceans have served to protect us from foreign attack. Today these very same oceans afford the Russians a ready means of surreptitiously bringing their missile launching submarines close to our cities from whence they can launch a deadly attack.

Our tactical air capability, when compared to the Soviet capability, also raises serious questions as to our ability to cope with the Soviet Union in a conventional confrontation. For example, since 1954 the Soviets have designed and produced 18 new types of fighter planes—13 of these models we have actually photographed in flight. In the same time frame, the United States has not produced a single new air superiority fighter, and actually we have not had one on order until this year.

Now, after an unforgivable delay, we have two fighters underway—the F-14 and the F-15, but they will not be a part of our inventory for several years.

We have dilly-dallied for years until the Soviets now have an air superiority capability which we will be hard pressed to match. Yet, there are those in and out of Congress who would stop the production of our F-14's and F-15's.

The Soviet Union has at least three VSTOL fighter aircraft that have flown successfully. These are aircraft with a vertical and short takeoff capability. We are just now in the process of acquiring some Harriers which will give us this VSTOL capability. The Harrier is the only operational aircraft of its type in the free world.

Yet, there are those who would create roadblocks for the purchase of these aircraft, one group opposing their procurement on the theory that it is a British aircraft, and the other opposed on the grounds that it will be manufactured in the United States at a higher price than it could be purchased from the British. Obviously, we cannot please everyone.

And yet, procurement of this aircraft is essential if we are going to revolutionize naval air operations in the years ahead.

There are only two areas in our whole national security program in which we may have a superiority as yet unchallenged. We are the only nation that is

building attack aircraft carriers. So the argument is made that since the Soviets do not have carriers we should not build any more or we should lay up those that we have.

To some, it is a crimp for the United States to be ahead of the Soviets in any area.

Then, there is the Multiple Independently Targeted Reentry Vehicle—MIRV. We are now deploying the MIRV and in this area we appear to be ahead of the Soviets. For this very reason, there are those who would eliminate any further deployment of MIRV's and even remove those already deployed. The rationale is that this would appease the Soviets and would lead them to the conclusion that we have no aggressive plans.

And while this type of specious reasoning is being propagandized throughout the United States, the Soviets continue to increase their deployment of the most powerful ICBM ever constructed, the SS-9.

I say to this House that the future of this Nation hangs by a thread.

We are in a far more serious situation than many would have you believe. Our way of life is not only being challenged from within, it is being very definitely threatened from without.

Yet sincere, conscientious people of good will will look you straight in the eye and say, "We must solve all of our domestic problems with the money we are using for national defense because we are really not threatened from without, or the threat from without is far less serious than the threat from within."

Scoff if you will; laugh if you wish, but it is your children and grandchildren who will pay the penalty for your timidity or your naivete.

You may well ask "Why, with a defense budget in recent years which has exceeded \$70 billion do we find ourselves in this position with the Soviet Union?" The answer, very simply stated, is that the Soviet Union is spending relatively more on its military effort than we are.

Let me give you some of the facts: In 1955 defense-related research and development effort in the United States was \$3 billion; within the U.S.S.R. it was \$2 billion.

In 1960, the United States spent \$7 billion; the U.S.S.R. spent \$5 billion.

In 1965, the United States spent \$13 billion; the U.S.S.R. \$10 billion.

In 1968, the United States spent \$14 billion; the U.S.S.R. \$14 billion.

In 1969, the United States spent \$14 billion; the U.S.S.R. \$15 billion.

In 1970, the United States will have spent \$13 to \$14 billion, while the U.S.S.R. will have spent \$16 to \$17 billion.

These figures in the R. & D. area alone reflect Soviet determination to match and pass the United States in the incorporation of advanced technology into military hardware.

Despite the increased effort expended by the Soviet Union in defense related R. & D., there has been no corresponding reduction in the resources the Soviet Union has allocated toward the R. & D. effort in the civil industrial base.

Thus, contrary to the effort in the

United States of reducing the Defense Department's R. & D. effort and allocating it to civilian agencies, the Soviet Union continues to fund both efforts at progressively increasing levels.

The significance of the greater R. & D. effort being made in the Soviet Union is that technological advances developed by this greater R. & D. effort will only be evident 4, 5, and 10 years from now, but at a time when we will be incapable of catching up to match these technological improvements and advancements.

Stated another way, if we permit the Soviet Union to create hardware which will negate our existing technological capability in offensive and defensive weapons, the Soviets will so extend us in power as to preempt any possible influence we may in the future hope to exert among the family of nations.

The determination in our military capability as contrasted to that of the Soviet Union has resulted from a combination of the Vietnam war, inflation, and the pressures of new and increased costs of our domestic programs.

In order to place this matter in better perspective, let me provide you with a few facts on this matter:

Since fiscal year 1968 the Department of Defense has attempted to combat inflationary forces with DOD reductions, totaling \$17.3 billion in constant dollars.

In this same period, a reordering of national priorities has resulted in a reallocation of Federal resources from defense to other programs in amounts greater than the DOD reductions.

The fiscal year 1971 defense program in constant dollars is only \$5 billion above the prewar fiscal year 1964 level. Yet, the incremental cost of the war in fiscal year 1971 is undoubtedly more than double the \$5 billion budget increase. Thus, what has occurred is that the difference in funding of the Vietnam war has been accomplished by deferring weapons modernization, plant maintenance, and by reductions in operational readiness.

The impact on these factors is actually greater than these figures indicate since with inflation and a combination of pay and price increases, personnel costs have increased tremendously, wiping out even the most intensive economies achieved by the Defense Establishment.

For example, in 1965 with a military manpower level at 2.6 million, military pay cost \$13.9 billion.

Under today's higher costs and with projected pay increases, if we had 2.6 million men in fiscal year 1971 and we now have in excess of 3 million, the personnel costs for fiscal year 1971 would be approximately \$29 billion. Thus, personnel costs alone will have more than doubled since 1965, without regard to manpower levels. This gives one an idea of how severely manpower costs and the effort to reduce defense costs have detracted from our ability to maintain a modern technologically advanced military capability.

Let me hasten to add that these military pay increases which have been and will continue to be provided by the Congress are absolutely necessary. Moreover, additional compensation increases will, in the future, be necessary if we hope to reduce reliance on the draft, or

keep any semblance of a career force which is absolutely essential as our weapons systems become more and more complex.

In terms of gross national product, our defense budget has gone from 9.7 percent in 1968 to 7 percent in 1971, while at the same time the domestic parts of our national budget have increased their share of the gross national product from 12.8 percent to well over 13.4 percent in the same time frame.

The 7 percent portion of the gross national product which is allocated to our national defense represents the smallest allocation of our gross national product to national defense purposes in 20 years. Surely no American would argue that we can put a price tag on the lives of our people. I would rather be alive at 10 percent than dead at 7.

Now let me summarize for a moment. I have outlined to you that our former 5-to-1 margin in nuclear strategic weapons has in a few short years vanished. The Soviet Union now has a nuclear strategic weapon capability in excess of ours, and this superiority will continue to increase if we do not take dramatic action to stem the tide. We can no longer look upon our threat of nuclear war as a satisfactory deterrent to aggression with conventional arms, as we could in the two decades past. From here on if we threaten nuclear war in response to aggression, we risk our own destruction.

Moreover, I pointed out that the Soviet Union has within a few short years negated our naval superiority. This same accomplishment is evident in other areas of conventional warfare, including our ground and air capabilities.

As a matter of fact, while Congress is still debating the necessity for building an advanced manned strategic bomber, the B-1, we now know that the Soviet Union has already built such an aircraft, and it should be coming into their operational inventory at least 3 to 4 years before we can hope to have our B-1 operational.

The circumstances of the B-1 bomber debate in this country illustrate the reasons why we seem hell-bent on national suicide. While we debate the question of maintaining our military capability, the Soviet Union quietly but openly forges ahead.

It may be that the gap which has now been created in our defense capability can never be bridged. The Soviets have the bit in their teeth, and make no mistake about it, are both capable and determined to maintain this newly developed superiority.

Perhaps I can best put into perspective the determined accelerated effort being made by the Soviet Union to eclipse the United States in strategic capability, both offensive and defensive, by giving you a concrete measure of this effort.

In calendar year 1969, the United States spent a total of \$7.5 billion on strategic offensive and defensive weaponry. During that same period, the Soviet Union expended approximately \$13 billion for the same effort. Thus, it is evident that the Soviet Union in a single calendar year has spent approximately \$5.5 billion more for increased strategic capability than did the United States.

I recognize that a \$5.5 billion added effort is somewhat difficult for laymen to comprehend. However, since the cost of a single Minuteman missile is approximately \$4.8 million, the added Soviet effort is roughly equivalent to the procurement of a thousand Minuteman missiles.

All of this in one calendar year.

Can anyone consider this anything but an obvious effort to give the Soviet Union an insurmountable advantage in strategic weaponry over the United States before the conclusion of the SALT talks?

As a matter of fact, this circumstance alone illustrates the cold and calculating master plan of the Soviet Union, who in entering the SALT negotiations hopes to freeze the United States in an inferior position in strategic weaponry.

I pray to God that the American people, and the Congress in particular, will soon awaken to these realities and recognize that the question confronting us is no longer one involving the relative allocation of priorities in spending between defense and domestic programs, but rather the fundamental question of national survival.

We cannot as a Nation afford to spend one penny less on national defense than that amount which is required to insure that you and I, and our children, can convince the Soviets they dare not pull the trigger when a Soviet gun is placed against our heads.

The issue, therefore, is very simply how much money must we spend to insure our survival—since if we fail to demonstrate to the Soviet Union our determination to survive—the amount of money we spend for domestic programs will become merely an academic exercise.

I plead, and I beg you, my colleagues who collectively have the responsibility of the security of our Nation in your hands, to ponder these facts which I have brought to you today. They are proof positive that we are in serious trouble. Unpleasant as these facts may be, you cannot ignore them, for if you do, you are failing not only your constituency but also all the peoples of the world who, in the final analysis, look upon the United States as the fountainhead and guardian of the highest aspiration of genuine freedom in this chaotic world.

These are the facts that confront our President, our Congress, and our defense planners.

These are the facts which reflect the prophetic wisdom of an observation once made by a gentleman by the name of Mr. Richard M. Nixon, when he said:

If present trends continue, the United States, a very few years hence, will find itself clearly in second position—with the Soviet Union undisputedly the greatest military power on earth.

I am afraid that that day has already arrived.

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

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

Mr. HALL. Mr. Speaker, the distinguished gentleman from South Carolina, the chairman of the Committee on Armed Services, had to do what he has done so eloquently today.

He having spoken, many lesser birds

would cease twittering lest they missed one lyrical note of what he says on high.

Mr. Speaker, I hasten to associate myself with your most urgent and perceptive remarks.

What you have said today can be construed as neither hawkish, or dovish, but eaglish, that gallant and magnificent creature that symbolizes the strength and honor of this great Nation. However, I fear that if the warning you have so eloquently set down today is permitted to go unheeded by the chosen and elected Representatives of the American people, these United States will run the risk of extinction, just like the eagle which has been unable to cope not only with the hunter, but also the relentless advance of the "ides" of technology and scientific progress.

You have been so forthright and strong in accentuating the positive, that I hesitate to add negatives in communications, ground armaments, and atomic testing, but my real fear is the degradation of will and moral determination of the U.S. people. This is the real McNamara "fall-out."

I cannot help but recall today the farewell address of that soldier, educator, statesman, Dwight Eisenhower who said:

In the councils of government, we must guard against the acquisition of unwarranted influence, whether sought or unsought, by the military-industrial complex.

These words have been flung about like so much nerve gas by those who would seek to downgrade the importance to this Nation of expenditures by the Department of Defense. However, let me now quote from that same address, the words that those who would toy with the survival of this Nation have chosen to ignore. I quote once again from General Eisenhower:

A vital element in keeping the peace is our Military Establishment. Our arms must be mighty, ready for instant action, so that no potential aggressor may be tempted to risk his own destruction.

We face a hostile ideology, global in scope, atheistic in character, ruthless in purpose, and insidious in method. Unhappily the danger it poses promises to be of indefinite duration. To meet it successfully, there is called for, not so much the emotional and transitory sacrifices of crisis, but rather those which enable us to carry forward steadily, surely, and without complaint the burdens of a prolonged and complex struggle, with liberty at stake.

Mr. Speaker, as I have asked so often from this position in the well: In the defense of freedom, if not us, who? If not now, when? If not there, where? I hear no answers.

The handwriting is on the wall, to be viewed by any and all who would balance out the strength, prestige, and ability of this Nation not only to lead others, but to mold the opinions of its own, into a cohesive national policy of peace through preparedness and strength.

Mr. Speaker, I have written the Commander in Chief and the Secretary of Defense that in view of the evaluated intelligence reports received almost daily, this Nation must not again be reduced to a second-rate defense power without first being certain that the people of

these United States know what is going on, before the fact.

Of a certainty, we must concern ourselves with the constant threat of crime in the streets. We must do our utmost to stop inflation. We must develop means and methods to protect our environment, but I say this today, and repeat that which you said so well, for emphasis: That if we do not first concern ourselves with the survival of this Nation, all the rest will go for naught.

The choice I think, is simple—it is time we set about to accomplish the task.

Mr. RIVERS. Let me answer the gentleman from Missouri (Dr. HALL) in this way: 20 centuries ago a man stood on the Mount of Olives and said this:

O Jerusalem, Jerusalem, thou that killest the prophets, and stonest them which are sent unto thee, how often would I have gathered thy children together, even as a hen gathereth her chickens under her wing, and ye would not!

But you would not. I say that with great reverence.

We are one, the American people. The only way I know to do is to tell you now that tomorrow we will bring up the conference report we just concluded considering with the Senate conferees. We have raised it over \$600 million. That is not enough, but we cannot do it all in 1 year. But at least it is a start. There is \$435 million additional to be allocated to the Navy to start doing what I have talked about.

Please believe me. I have checked that speech with everybody. I have been writing that speech for at least 3 or 4 months, and it is accurate.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. HALL) is recognized for 30 minutes.

Mr. HALL. Mr. Speaker, I rise and take this time to renew what I have said, which is only that the pearls that flow so glibly from the distinguished gentleman from South Carolina's lips in the defense of freedom around the world, and this Nation in particular, point up indelibly the truth. It should be heralded to all of the people of the Nation by everyone from the Madison Avenue press down through the weekly county newspapers and all news media available how much we need to regenerate the will that will permit us to spend millions for defense but not one penny for tribute. I know that is what the gentleman from South Carolina had in mind. I am reminded of the statement by Emerson—

Not gold but only men can make a nation great and strong, men who for truth and honor's sake stand fast and suffer long, brave men who work while others sigh. They dig the nation's pillars deep and lift her to the sky.

I am delighted to yield to the chairman of the Committee on Armed Services.

Mr. RIVERS. I thank the gentleman.

Mr. ICHORD. Mr. Speaker, will the gentleman yield to me?

Mr. HALL. For the gentleman from South Carolina I yield to the gentleman from Missouri (Mr. ICHORD).

Mr. ICHORD. Mr. Speaker, I appreciate the gentleman yielding to me. I commend my chairman for the most cou-

rageous and timely speech which he has just delivered. The speech of the chairman of the House Committee on Armed Services conveys a terrifying message not only to the Congress but to the people of the United States. Unfortunately, the columnists whom the gentleman in the well has referred to do not have the habit of giving too much publicity to the remarks of the gentleman from South Carolina. At this time I want regrettably to concur in his assessment of the military capability of this Nation vis-a-vis the Soviet Union and challenge those columnists to dissect and question the speech in the well today. I think they will find that the gentleman from South Carolina speaks the truth. If there is any doubt that the gentleman from South Carolina speaks the truth, I would refer the House to an article in the September 21 issue of the U.S. News & World Report which reads as follows:

Any suggestion that President Nixon order troops into Jordan to rescue American citizens seized by Arab skyjackers was quickly put down by top advisers, one of whom cautioned: "We can no longer move freely in the Mideast, even to go after international brigands, without the explicit approval of Soviet Russia. And the Russians will not approve."

The remarks of the gentleman from South Carolina have been directed mainly to this Congress and to those who would degrade the military capability of the United States by eliminating entire weapons systems, but in his message there is also conveyed a similar frightening message to the executive. I just want to analyze briefly, if the gentleman will yield further, the portion of the statement made by the gentleman from South Carolina which reads as follows:

In 1955 defense-related research and development effort in the United States was \$3 billion; within the U.S.S.R. it was \$2 billion.

In 1960, the United States spent \$7 billion; the U.S.S.R. spent \$5 billion.

In 1965, the United States spent \$13 billion; the U.S.S.R. \$10 billion.

In 1968, the United States spent \$14 billion; the U.S.S.R. \$14 billion.

In 1969, the United States spent \$14 billion; the U.S.S.R. \$15 billion.

In 1970, the United States will have spent \$13 to \$14 billion, while the U.S.S.R. will have spent \$16 to \$17 billion.

In the meantime the U.S.S.R. has three VSTOL-type aircraft. We have only what we got from the British in the form of the Harrier.

Mr. Speaker, the U.S.S.R. has the depressed trajectory ICBM and the FOBS. We have nothing comparable.

The U.S.S.R. has developed 18 new fighter aircraft. We do not have a single new fighter aircraft in the operational inventory.

The United States has built nothing comparable to the B-1. The gentleman from South Carolina has said that it will be 3 or 4 years before we will have anything like the B-1 in the inventory and so on. This is true with reference to the STYX missile. We have nothing comparable.

Mr. Speaker, this is where I would ask the gentleman from South Carolina to

comment, if he will: Add up those billions in research and development while the Soviets have only spent \$63 billion.

If one will look over some of those R. & D. projects one will find that we have been researching the sex life of bumblebees while the Russians have been fighting equipment and putting it into operation.

This is why it also conveys a terrifying challenge, a terrifying message to the Executive and to the Pentagon, and that is, we must have a very inefficient spending mechanism.

Mr. RIVERS. I thank the distinguished gentleman from Missouri for his contribution.

Mr. Speaker, I now yield to the gentleman from Arizona who is so knowledgeable on this subject and who is so interested in maintaining the defense security of this country.

The SPEAKER pro tempore (Mr. BENNETT). The Chair will state to the gentleman from South Carolina that the gentleman from Missouri (Mr. HALL) has the time.

Mr. HALL. Mr. Speaker, I have yielded the balance of my time to the distinguished gentleman from South Carolina. I am, however, staying on my feet under the rules of the House so I may yield to him.

Mr. RHODES. Mr. Speaker, I want to congratulate the great chairman of the Committee on Armed Services for the speech which he has made. It is a speech which had to be made and one on which I know he has been a long time in preparation.

Mr. Speaker, the distinguished gentleman from South Carolina is certainly the most knowledgeable man I know concerning the subject upon which he has spoken. He is also one of the finest patriots who has ever served in this great body. It is a privilege for me and other Members of the House to serve with the gentleman.

Mr. RIVERS. I thank the gentleman from Arizona but the gentleman had better be careful as to what he says.

Mr. RHODES. I will assure the gentleman from South Carolina that the words which I have uttered today will appear in the Record tomorrow.

The gentleman from South Carolina I am sure will agree with me when I query concerning the advisability of talks or negotiations with the U.S.S.R. under the present circumstances.

The situation in the last several years has been that the U.S.S.R. has been probing and pushing; whereas, we have been trying to negotiate.

The Middle East situation certainly could not possibly have arisen without the active participation of the Soviet Republic.

The situation in Cuba is just another example of that probing.

The situation in the Mediterranean which the gentleman from South Carolina has described so well is another perfect example of it, and there are many others throughout the world.

Mr. Speaker, it strikes me that it takes two to make peace as it does two to fight. I say that the only people in the world I know who are really trying to make

peace are the citizens of the United States of America. I applaud this. I am for it. I hope we can succeed in bringing this fact to bear upon the rest of the people throughout the world. But I wonder if it is not time for the American people through their Government to say to the people of the U.S.S.R. that peace is the goal of the United States and we hope it is with you. But we need some indication other than your words that this is your goal. We need to have an understanding if we are to have peace. There must be a reduction of this probing, a reduction of trying to throw off balance and a reduction in trying to fish in troubled waters which should be stopped right away.

Mr. RIVERS. We must make a hard decision. We have had the disarmament talks going on in Geneva, and we have got the SALT talks going on, and all during this time the Soviet Union has been frantically exploiting every area which they could use, and putting its funds into appropriate research or in actual procurement. They have gotten a wealth of materiel and all new kinds of gadgets from that.

Only recently the Secretary of Defense has said that all during the SALT talks the Soviets increased their inventories of large megatonnage systems.

Mr. RHODES. The gentleman from South Carolina is correct.

Mr. RIVERS. We do not need to criticize the President. I talked to the President last week about it, and he is concerned—he is concerned.

Mr. RHODES. Let me hasten to tell the gentleman from South Carolina that I have no intention of criticizing the President or any other President, but I do feel the realities of the world situation, which were apparent back in 1960 when the Russians began to increase their atomic weapons capability unilaterally in violation of a solemn international agreement, and the situations which have occurred since then, have made many of us question whether the Russians really want peace or whether they do not. I think it is time that the importance of their intentions, as far as that is concerned, be made crystal clear by their own actions.

Mr. RIVERS. If you were to talk to somebody at the Atomic Energy Commission they could give you the answers as to why the Soviets are making these very large megatonnage warheads. That is to blackmail us into the fear of the destruction of our cities. They do not need all this. They have got more of a kill capability than a show dog has medals. What are they going to do with these megatonnage warheads? They have got the largest megatonnage warheads anybody has ever had, and the capability of delivering them. They are not needed just for defense.

Mr. ANDREWS of Alabama. Mr. Speaker, if the gentleman will yield, I want to commend the gentleman from South Carolina for the frightening speech that he has delivered to the House. I only wish we had more Members of the House present to hear it. I know this problem has worried the gen-

tleman from South Carolina for years. I have discussed it with the gentleman at times, and the time has come, as the gentleman has said in his speech today, to either fish or cut bait.

For the past 10 years it has been an open secret that the Russians have built up their naval capability and their bombing capability and their missile capability while we have let ours go down. Our Navy today is in a pathetic condition, as was so ably described by the gentleman from South Carolina.

My opinion about what has happened, and I do not know whether the gentleman shares it or not, is that for the last 10 years we have been carrying on a war, and trying to have a program of guns and butter to the neglect of our military hardware, and our naval vessels which we so desperately need.

I have discussed with the gentleman from South Carolina what it might cost to bring us up to par with the Russian navy. The gentleman has stated that it cannot be done in 1 year, and it cannot be. But if I remember the figures correctly that the gentleman from South Carolina gave me a few weeks ago, the gentleman stated that it would take about 5 years and \$25 billion.

Mr. RIVERS. As a minimum.

Mr. ANDREWS of Alabama. As a minimum, to bring our Navy up to what it should be in the light of what the Russians have got.

Mr. RIVERS. These are the minimum needs, at an expenditure of \$5 billion a year, for 5 years.

Mr. ANDREWS of Alabama. I will say to the gentleman from South Carolina in conclusion that again I want to congratulate the gentleman on the frightening speech that he has made today.

Mr. RIVERS. I thank the gentleman.

Mr. ANDREWS of Alabama. As a member of the Subcommittee for the Defense of the Committee on Appropriations, I am going to certainly see if I cannot get some additional money in the bill this year.

Mr. RIVERS. The figures which I discussed with the gentleman from Alabama and the gentleman from Arizona are figures which Secretary Laird said he would approve and which the Navy asked for in the budget request. They are not my figures—I take no credit for anything. We provided what the Navy said they need as a minimum to begin.

Mr. DON H. CLAUSEN. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman.

Mr. DON H. CLAUSEN. Mr. Speaker, I consider it an unusual privilege to be on the floor of the House today participating in this special order with the very distinguished chairman of our Armed Services Committee, Mr. L. MENDEL RIVERS, of South Carolina.

Mr. Chairman, it is your birthday and we congratulate you. However, I believe that instead of being the recipient of gifts which are traditional, you have, through the presentation of your speech here today, in fact, given the House of Representatives, the Congress, and the Nation a birthday present on the anniversary of your birth.

I am proud to associate myself with

these remarks because we know the contents are accurate.

I further believe this will prove to be one of the most timely historical documents of our time and the gentleman from South Carolina's great dedication to the defense and security for the people of our Nation will leave its mark and he, personally, will be remembered in future history books as one of the greatest of our patriots serving the cause of freedom.

Like many great Americans before him, he has received his share of criticism. Men like Jefferson, Lincoln, Teddy Roosevelt, and Patrick Henry have all been the recipients of similar criticism and attacks.

Knowing MENDEL RIVERS as well as I do, I can say that he is most undeserving of the vitriolic utterances of his critics. It could prove to be somewhat ironic that he is the leader—the one man who will be most responsible for saving the lives and the country of these very critics.

All historians, and certainly most Americans, will remember the famous ride of Paul Revere, where he rode his horse, in the middle of the night, to "wake the town and tell the people" of the dangers that were approaching.

In my humble judgment, this historical and well documented speech of Chairman RIVERS could well record him as the "jet, space, and nuclear age Paul Revere" of our time.

I am doubly concerned about the decline in our commitment to retain maximum superiority in our naval and our air power, in particular, during the 1960's. It will be my intent to speak further on this subject in the immediate future to record some strong feelings that I hold on this entire matter.

Again, I compliment the chairman and thank him for the privilege of participating in this historic day—a day that I hope will wake up all Americans to the realism of our times and the inevitable buildup toward a confrontation with the Soviet Union. They have not changed their goal of world domination and the recent submarine base in Cuba, the events in the Middle East and Chile are just a few of the visible examples of what I mean.

Mr. RIVERS. I thank the gentleman from California.

I want to say that the House Committee on Armed Services has not once been turned down here, so I am not complaining about the House. We have never had any appreciable vote against anything we proposed.

We have had the backing of the leadership from our great Speaker. If we ever miss a man when he leaves the House of Representatives, it will be JOHN W. MCCORMACK. His one criteria and the hallmark of his dedication has always been—if we err, let us err on the side of strength.

What I am telling you in this document is to the best of my ability. I wish I could have done better, but I have done the best I can, taking into consideration things which have compelled my attention elsewhere. If I could have given more time to it, I could have done better, but I have done the best I can.

But I want to say this—this country needs a lot and I am only giving you the minimum. We have had the backing of the leadership and I am talking about the leadership on both sides of the aisle. Our committee is not a partisan committee. It is a committee dedicated to the betterment of this country and to its salvation. I am bringing you this to let you know that these are things that are needed. These are things that nobody can controvert—and I mean nobody.

I want to thank our Speaker for the backing that he has given me and to thank the leadership on both sides. Our committee has been well defended and supported. We have never, ever lost a battle on this floor, as a result of the backing we have received from the leadership on both sides, our great leaders, and I want that known.

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

Mr. RIVERS. I yield to the distinguished gentleman.

Mr. DORN. Mr. Speaker, first I want to congratulate my distinguished and beloved colleague, the gentleman from South Carolina, on his birthday. I know I speak for the people of South Carolina and, indeed, for the people of this Nation and of the free world when I tell my distinguished colleague that we are grateful for his devotion and dedication to those great principles and those great ideals that have made this Nation great.

I want to congratulate you today on this magnificent and timely address made in the well of the House of Representatives to your colleagues and to the Congress. The Congress cannot escape its responsibility—in the 1920's when we put our fleet in mothballs and we sat idly by and permitted Billy Mitchell to be court-martialed and almost run out of the military for saying that a bomb could sink a battleship. That was not many years before Pearl Harbor. We must not make that mistake again.

I remember June 25, 1950, when the Communists came across the 38th Parallel in Korea. Again we found our ships in mothballs. Many of our planes had been sold. My committee investigated as to where some of the airplane engines went, and we found that they had gone to the Soviet Union and some of our enemies, sold as surplus property. Again we were unprepared.

I would remind my colleagues and the people of this country that if this happens again, it will be too late. The gentleman so ably pointed out that we were saved before by the Atlantic and the Pacific Oceans. This time there will be no Atlantic and Pacific to save the American people from the holocaust which hit Paris and London in 1940 and which hit Poland in 1939. I want to congratulate and thank the gentleman again for his very timely address, and I hope this time the Congress, my colleagues, and the people of this Nation listen and do something about it before it is too late.

Mr. RIVERS. I only hope that someone, somewhere in the smoldering ruins, if it makes any difference, will say, "Old Rivers did the best he could. They did not pay any attention to him. He did the best he could." I am doing the best I can.

I want to thank you for remaining in the Chamber this late in the evening. I know it is not easy to stay here at this time of day. We have a million things to do. But the parliamentary situation does not make it possible to deliver an address like this when everyone is able to be present. I recognize all of this. This response is what makes me so grateful to you who have remained.

Our great Speaker has sat in the Chamber and listened, and his presence warms me and touches me. I conclude from your presence you feel we are doing what we think is right.

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

Mr. RIVERS. I yield to the distinguished gentleman from Oklahoma.

Mr. EDMONDSON. I thank the gentleman for yielding. I agree with the gentleman from California (Mr. CLAUSEN) who said a few minutes ago that this is a speech of historic importance. The gentleman from South Carolina, who is as well informed as any man in Government about our Armed Forces and the armed forces of other countries, has pointed, I think, very dramatically and very effectively, to a changing world picture in terms of what might be called the balance of power across the seven seas. Many of us have known and been concerned for a long time about the growing Soviet submarine strength. When the gentleman from South Carolina tells us that today the Soviet submarine force is the largest ever created in the history of the world, and documents it, he points to a matter of very grave concern and even of ominous import.

But he has gone further than that and he has shown that not only has the Soviet Union developed this unprecedented submarine striking power, far exceeding anything Nazi Germany ever dreamed of having in World War II, but he has also pointed up the buildup in cruiser strength, guided-missile destroyers, and destroyer escorts. This growing, balanced naval service strength poses a direct threat to free nations in many parts of the world previously considered safe from any kind of Red threat.

I think the gentleman has performed a great service to his country today, and I want to congratulate him upon it. I assure the gentleman that I will be present when the conference report is brought in tomorrow to back him in every way in my power in seeing that the additional funds that have been provided are voted by the House of Representatives.

Mr. RIVERS. I thank the gentleman very much.

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

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

Mr. McCLOSKEY. I thank the gentleman. I wish to commend the distinguished chairman on what he has said today. It is one of the most impressive speeches I have heard in the 3 years that I have sat in the Congress. I want to thank the chairman for calling to our attention that our primary duty is to preserve a strategic balance with the Soviet capability. I think the comment

that we ought to maintain a level of strategic capability that will assure against any misunderstanding by the leaders in the Kremlin of our intention to survive is perhaps the key challenge that faces our country today.

But I want to ask the distinguished chairman also if, in the recent light of the deterioration of our military capability as contrasted with that of the Soviet Union, since it has resulted as the chairman has said from a combination of the Vietnam war and inflation and pressures of new and increased domestic causes, does that not face us in this body with the very serious question whether we can continue to afford the massive expenditures in Vietnam which have permitted this comparative deterioration? I think it is clear that in the last 5 years we spent over \$100 billion in Vietnam while the Soviet Union has spent less than \$10 billion, and it is that comparative difference in expenditure which we have authorized in this body that has led to the condition which the gentleman so aptly describes today.

Mr. RIVERS. Mr. Speaker, I think it is one of the factors. This country is tired of war. We have spent all kinds of money in waging the Vietnam conflict. I can understand very easily the feelings of the gentleman and so many other people. The people of this country have been saddled with great and terrific burdens. Along with that, there have been millions of dollars and billions of dollars spent in that part of the world. There are all sorts of factors.

What I am saying today is, we need a deterrent. If we have it, they will not hurt us. Moreover, when our allies find out how weak we are, they will start leaving us. They will be leaving us as leader of the free world—because we will not be any such thing. These things point out that a weak nation cannot lead anybody anywhere.

This is a deterrent. We do not have any offensive desires. What the gentleman has said is a factor.

I want to say this. I acknowledged the great and fine war record the gentleman has as a U.S. marine. He knows something about combat. I respect the gentleman's position. I have nothing but the greatest respect for him.

Mr. McCLOSKEY. Mr. Speaker, I thank the distinguished chairman of the committee. I just wanted to say I thought the timing of the gentleman's speech, coming as it does, almost requires that we give an overwhelming vote tomorrow on this bill as an indication of our resolve in this confrontation, in this psychological warfare we conduct.

Mr. RIVERS. Mr. Speaker, I thank the gentleman. The Marines always rise to the occasion. The gentleman knows that once a marine, always a marine.

I am not surprised to hear the gentleman's words. I thank him very much because I have a great respect for him.

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

Mr. RIVERS. I yield to the gentleman from Mississippi.

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

Mr. Speaker, I will be brief, but I want to join my colleagues in thanking the chairman of the great Committee on Armed Services for this hardhitting, factual talk he has given us.

There is so much information in this report that it would be good if all Members would go back and take a good hard look at what the gentleman has told us today.

I think one point should be mentioned again which he brought up, and that is beside the fact we are getting behind the Russians, we are also using this equipment every day in fighting a war. This will put us even further behind the Soviets, who are not actively participating in war as we are.

Mr. Speaker, again I thank the gentleman for his splendid remarks.

Mr. RIVERS. Mr. Speaker, I thank the gentleman from Mississippi.

I yield to my distinguished Speaker.

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

Mr. RIVERS. I yield to my distinguished Speaker.

Mr. McCORMACK. Mr. Speaker, I join my other colleagues in congratulating my dear and valued friend, the gentleman from South Carolina, the distinguished chairman of the Armed Services Committee, for the historic speech he has made on this occasion.

There is no one in a better position in the Congress of the United States to know the strength and the weakness of our military posture or the strength and the weakness of the military posture of a potential enemy than the gentleman from South Carolina (Mr. RIVERS). The gentleman has made a marked contribution for the consideration not only of Members of Congress, but also for the people of our country.

I have constantly stated to audiences I have addressed, in talking with groups—or to individuals, where the subject matter came up—that international communism is still bent on world domination.

As I understand it, one of the real messages my friend is conveying is that fact, that behind the Soviet threat is the indisputable evidence existing, if one only wants to see it, that communism has not changed its intent. It might from time to time change its tactics, but the Soviet Union and international communism are just as much bent on world domination today as ever has been the case during the past 60 years.

It is well for the people of our country to waken to that fact. In the 1930's, there were a few of us who took the well to try to warn the people of our country against Nazism under Hitler and of its meaning and significance in terms of history and in terms of the national interests of our own country.

The gentleman from South Carolina (Mr. RIVERS), has taken the well of the House today to advise the Member of Congress as to the military situation, and to advise the people of our country that the intent and purpose of communism has not abated one iota, but that its military strength is so powerful as to constitute a serious threat to our very existence.

It might be well for us to keep in mind an observation the gentleman from South Carolina (Mr. DORN) made a few minutes ago, and which I have made on the floor of the House and outside the House. Well do I remember it, because the day after Pearl Harbor I took the well of the House and introduced the resolution declaring war. It was that the Atlantic Ocean is no longer our first line of defense. Fortunately for us, after Pearl Harbor it was—the Atlantic and the Pacific; but I am referring to the Atlantic.

During the entire history of our country the Atlantic was our first line of defense, and it was after Pearl Harbor. It enabled us to marshal our great resources as a great Nation, which were very weak at the time, and to build up our strength—our industrial, our military, and our manpower strength. After 3 years we were enabled to take the painful road both in Europe and in the Far East to victory.

But no longer is the Atlantic our first line of defense. What that means in plain language, whether we like it or not—I do not like it, but I have to face it, as do all other Americans in and out of Congress—is that we have to be prepared before the fact. We will never have another opportunity of preparing ourselves after the fact.

The preservation of our country is a matter of concern to all of us.

The gentleman from South Carolina in his speech referred to another observation I have made, and again I repeat it: If I am going to err in judgment I prefer to err on the side of strength rather than on the side of weakness, where the national defense of my country is concerned. It is much more so now than ever, because we could take a chance on an error of judgment before World War II but we cannot take a chance now.

Three months before Pearl Harbor a vote took place in this Chamber, and by a vote of 203, as I remember, to 202 the Selective Service Act was extended.

What would have been the condition if it had not been extended? I have asked myself that question many times. Yet every Member of this body who voted against its extension was just as good an American as I and the others who voted for its extension. However, we then had the Atlantic Ocean. That meant Hitler had to defeat the American fleet and the British fleet before any immediate danger could take place to our own country. We no longer have the Atlantic Ocean. The message that should be sent to the American people is we have to be prepared before the fact; we will never have another opportunity after the fact.

I congratulate my friend who, in my opinion, is one of the great Americans of all time where the national defense and the national interests of our country are concerned.

The SPEAKER pro tempore. The time of the gentleman has expired.

GENERAL LEAVE TO EXTEND

Mr. HALL. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks concerning the

speech of the distinguished gentleman from South Carolina (Mr. RIVERS).

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

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Missouri (Mr. RANDALL), is recognized for 15 minutes.

Mr. RANDALL. Mr. Speaker, I certainly want to commend our distinguished chairman and wish him a happy birthday as we did earlier today. He has done a great service for all of us by his speech today.

You hear so much about the reordering of priorities. Everyone seems to applaud reductions in defense expenditures. But what has happened up to now, as he has shown us, is that we have not simply cut away the fat but have cut away the muscle of this country. The chairman of the committee is sounding a warning not only for those Members who are here but those who are out of Congress. This is a message which we should ponder and heed. I do not know how best to describe this warning, but it has been factual and hard hitting. Let us hope it will be provocative. I will certainly be present tomorrow to support our distinguished chairman.

Now, Mr. Speaker, I am glad to yield to the gentleman from California (Mr. HOSMER).

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

I, too, wish to join in the congratulations to the gentleman from South Carolina on the occasion of this his birthday and express my appreciation to him for bringing so clearly to this House and to all of the American people the realities of the strategic relationships that exist between the United States and the Soviet Union.

He has quite properly pointed out that only in July of this year the world passed its first quarter of a century in the new nuclear age. During this 25 years the United States always retained the superior strength on its side in the nuclear equation. Because of this and because of the U.S. strength and its knowledge in utilizing that superior strength there has been no nuclear war on this planet. Should we lose that strength, I think that the gentleman from South Carolina has well indicated what could happen. It could be the outbreak of a nuclear war. Therefore it is incumbent upon us to follow his advice and maintain that strength. If we do so, we much realize that under this umbrella of nuclear deterrence there will constantly be contests which will either be fought or better can be deterred of a conventional nature around this planet.

And, therefore, as the gentleman from South Carolina points out, we must give these conventional forces of ours the attention and the support that they need. I say this most of all because this world is wide and troubled and in view of our national priorities, we must give attention to the defense and security of this country.

Mr. Speaker, I yield the remainder of my time to the gentleman from South Carolina.

Mr. RIVERS. I thank the distinguished gentleman from California because I know of his great dedication to the defense of this country and his attainments as a distinguished naval flag officer, as a member of the Joint Committee on Atomic Energy, and his many other manifold responsibilities. He knows of my high regard and respect for him.

Mr. DANIEL of Virginia. Mr. Speaker, will the gentleman yield?

Mr. RIVERS. I yield to the gentleman from Virginia (Mr. DANIEL), a former great leader of the American Legion.

Mr. DANIEL of Virginia. I thank the distinguished chairman for yielding.

Mr. Speaker, I desire to express my continued appreciation to the distinguished chairman of the Armed Services Committee for the contribution he has made today to world peace. His remarks are not only good for our own country but I think they should be adhered to among the free nations of the world.

Mr. Speaker, while I am new in Congress, I am not new to the field of national defense. It is my judgment, Mr. Speaker, that the best guarantee for peace is to keep our country economically sound, morally and spiritually right, and militarily effective.

I also believe that the best approach to the goal of world security is through the security of the United States of America.

The gentleman from Arizona a moment ago had something to say about international agreements.

Mr. Speaker, since 1945, we have used millions of words negotiating treaties with the Soviet Union. We can count today on one hand those treaties which have been of benefit to the free people of the world. After our sad experience at Yalta, Potsdam, Cairo, and Geneva, I regret to have to say that I have come to have little faith in the processes of international bargaining.

It is my opinion that one of the great problems we have today is the difference in the meaning of words as they are related to the Soviet Union, vis-a-vis the United States. Peace to the Communists means an era in which all the people of the world have succumbed either to internal or external forces. To you and me, as well as other Members of the Congress, it means something entirely different.

Mr. Speaker, I wish to congratulate our distinguished chairman today and express to him my genuine appreciation for the great contribution he has made.

Mr. RIVERS. I thank the distinguished gentleman from Virginia for his remarks.

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

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

Mr. DICKINSON. Mr. Speaker, I would like to take this opportunity to join in the accolades of the other Members that are so well deserved by the chairman for the message he has brought to us today

with reference to some of the ills that beset us.

I think that two most significant things have been said today which have been kept secret from the American people too long. One has to do with the STYX missiles, against which we have no defense and which pose a severe threat, a threat which is not thoroughly appreciated by the average layman. The other is the threat which is certainly posed by the deepwater submarine pens being built by the Soviet Union to house and tend nuclear submarines of the Soviet fleet.

Mr. Speaker, if my memory serves me correctly, at the time of the Cuban-Russian missile crisis one of the ground rules that was laid down by President Kennedy in one of the statements that he issued was that we would protect the integrity of the Western Hemisphere. We have made some serious concessions. However, one of the things which was not debatable was that Cuba could not be used as a military base against the United States and the free world for the exportation of communism.

Well, today we have seen that once again Russia has violated that understanding. I would certainly hope that the American people and the world realize that the enemy of this country is now and has always been the Soviet Union.

There would be no Berlin wall, no Vietcong, no threat from Cuba, if it were not for the Soviet Union; no Red Chinese, nor any other brand of communism that you can name.

So, Mr. Speaker, I think the distinguished gentleman has done a tremendous service for the country today. I can think of no more fitting way to cap off his "39th" birthday than by the tremendous service the gentleman has performed today.

I take this opportunity to join with my colleagues in saying "Well done."

Mr. RIVERS. I thank the gentleman very much.

About my birthday: as one who has reached my age, I can say that I dearly wish I see the next one. When you get my age, you have lived a lot of life. I thank the gentleman.

Of course, I do not look it—do not misunderstand, I do not look like any 45-year-old that I know of, and you know it.

Mr. NICHOLS. Will the gentleman yield?

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

Mr. NICHOLS. Mr. Speaker, I rise to associate myself with the remarks of the distinguished chairman of the House Committee on Armed Services, and to say to the Congress that back in January, through the generosity of the chairman, several junior members of that committee were permitted to go to the Mediterranean. There we saw firsthand, Mr. Speaker, exactly what the chairman has talked about today. Everywhere we went, from country to country, we got the same identical stories that we have just heard here. What the gentleman says is true.

We need to hear him and hear him well.

I know of no member on either side

of this Congress who is better equipped and has more knowledge to speak on this subject today than the chairman of the Committee on Armed Services.

I also know of no Member of Congress, no Member of either body of the Congress, who loves his country any more than the distinguished gentleman from South Carolina. Again I congratulate him. I will be pleased to be with him tomorrow, Mr. Speaker, to support his position on the conference report.

Mr. RIVERS. Mr. Speaker, I thank the gentleman.

I want to say to the gentleman from Alabama that it is no generosity on my part for the members of our committee to travel. I follow the example set by Mr. Vinson, and by other chairmen, and so long as I am chairman of the Committee on Armed Services the members of that committee are going to travel and gather information. I am sure we are the best-informed committee in the House. And when I say that, I think of the report that the gentleman from New York (Mr. STRATTON) made for that subcommittee.

I do not see how it was possible to hold the number of meetings that subcommittee held. I think their report is a magnificent document. All of our committees, when they travel, are required to render a report. The columnists delight in belittling the trips made by Members of the Congress. Our committee does not abuse any right that they have. And I want to tell the gentleman that our committee will continue to travel, and the gentleman from Alabama will also. I have not forgotten what the gentleman did in Europe for his country. We are lucky to have the gentleman from Alabama on the committee, and the Congress itself is lucky to have the gentleman, too.

I might add that I come from a section of America that lost a war, and I for one do not want to lose another one—I do not want to lose another one—because losing a war is no fun, and the next one will be terrible—there will be nothing left.

Again I thank the gentleman.

Mr. RANDALL. Mr. Speaker, I would just like to add this one further comment before concluding.

As a member of the Committee on Armed Services, headed by the distinguished chairman, the gentleman from South Carolina (Mr. RIVERS) I regard membership on that committee as one of the finest things it has been my pleasure to do since coming to the Congress. I know—and the gentleman knows—that sometimes we receive mail that is a little rough to read. I know and the chairman knows that some uncomplimentary things have been said about him. Of course, we in the committee on occasion have spirited discussions, and we do not always agree, but we always come out with a good result. But just as a final word on the gentleman's birthday, I know that the great majority of the American people and the majority of this House regard the gentleman from South Carolina as a man's man, and a patriotic American.

Mr. RIVERS. Mr. Speaker, I thank the gentleman.

I do want to say this. We have very little dissent in our committee. There is no committee in the House with such a small percentage of disagreement. We have 40 members and there are seldom more than five who disagree; sometimes maybe six or seven.

We have the best average of any committee in the history of the Congress. We have the best committee. Just think of the things that come out of our committee unanimously. It happens every day. I would not take a million dollars for the great privilege I have had of being chairman of this committee, and for the great honor of being a part of and a member of this committee.

As long as I am a member of this committee, I am going to try to run it in the interest of America and with the backing of the members of this dedicated group who compose this great committee.

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

Mr. RIVERS. I yield to the gentleman.

Mr. SCHMITZ. Mr. Speaker, as a new Member of this body I rise in response to the great but sobering speech by the esteemed chairman of the House Armed Services Committee, Hon. MENDEL RIVERS. When a man who has spent 30 years in the Congress intimately connected with the security of our country tells us that "the future of the Nation hangs by a thread" we had best listen.

Since coming to the Congress I have noticed that there are relatively few in Washington who seem overly concerned with the ability of the United States to defend itself. Many either take our military position for granted or feel that in some new type of changing world national defense is an outmoded concept. The world unfortunately has not changed to the point where the richest Nation in the world can sit happily bemused by its own delusions and expect that the Soviet Union, the most vicious aggressor ever to inflict itself upon long suffering humanity, will allow our misconceptions to dispel its desire for world empire. Strength taken for granted has not renewed itself.

In the midst of the century shrouded in more bloody wars than any other in recorded history it takes an appalling amount of ignorance and wishful thinking to come to the conclusion that since we would rather not fight a war others will conveniently decide to forego the pleasure of wrapping our wishes around the throats of ourselves and our families. In the light of 50 years of Soviet perfidy, barbarism, and conquest there are those who have come to the strange conclusion that there is just some slight misunderstanding which can be straightened out if we will just stop building the weaponry necessary to defend ourselves. If we continue to delay in taking the necessary defensive measures the misunderstanding is not going to be straightened out. We are simply going to get ourselves flattened.

Many centuries ago Demosthenes admonished the Athenians as they wavered between uncertainty and supineness:

It follows as the inevitable and perhaps reasonable consequence, that you are each more successful in that to which your time

and your interest is given—Phillip in action, yourselves in words.

When the chairman of the House Armed Services Committee tells us that we are now clearly in second position to the Soviet Union in military strength I suggest that it is time that we stopped dialoging and started fulfilling our sworn duty to protect the Nation from foreign enemies.

As a Representative of several hundreds of thousands of people I for one would like to thank Chairman RIVERS for the remarkable clarity he has shed on the defense situation and the contribution toward peace he has made thereby. Peace not in the sense in which it is used in the twisted semantics which have come to dominate the pseudo-intellectual journals and media discussions but peace in the true sense of the word as defined by the father of our Nation, George Washington:

To be prepared for war is one of the most effectual means of preserving peace.

No truer words were ever spoken.

Mr. RIVERS. Mr. Speaker, I thank the distinguished gentleman from California very much.

I thank all of my colleagues for their kind attention.

Mr. BENNETT. Mr. Speaker, I congratulate the gentleman from South Carolina in bringing these facts to the attention of the country. These facts need to be known and understood; and we in Congress absolutely must take the needed steps, and make the needed corrections; not in some distant time, but right now.

ILLEGAL PRICE DISCRIMINATION IN THE HEAVY POWER TRANS- MISSION EQUIPMENT INDUSTRY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. CONTE) is recognized for 10 minutes.

Mr. CONTE. Mr. Speaker, with all of the controversy raging today about the need to protect certain of our domestic industries from unrestricted imports, there is at least one industry which is faced with unlawful price discrimination about which there should be no dispute. The practice of dumping foreign products in U.S. markets at prices lower than those sold in their country of origin is clearly unlawful and cannot be tolerated.

The situation is most critical in the field of heavy power transformers which are essential to development of the extra high voltage—or EHV—power systems of the future. These products are manufactured in a number of plants throughout the Nation, including General Electric's Power Transformer Department in Pittsfield, Mass., in my district which employs over 3,000 people.

As you know, Mr. Speaker, Westinghouse Electric Corp. has initiated anti-dumping actions against foreign transformer manufacturers from six foreign countries. If the investigations conclude that dumping has occurred, as I believe they will, then our Government will impose tariffs as penalties to equalize the prices of these foreign goods with the

higher prices charged in their country of origin.

But this case is not expected to be completed for 2 to 3 more years. In the meantime irreparable damage may be done unless other steps are taken to alleviate the problem.

In the next few days I will be seeking the assistance of my colleagues from other States where such plants are located in support of a series of interim measures to reduce the adverse impact of this price discrimination.

For their information and that of all my colleagues I request unanimous consent to include at the close of these remarks a portion of my testimony on this subject, before the Ways and Means Committee on June 19, 1970, and a brief study, "Foreign Competition in Power Transmission Equipment," done by the General Electric Co.'s Power Transmission Division.

As I said at the outset, Mr. Speaker, the need to end these dumping practices is in no way related to the hue and cry about increased imports in general. These imports of heavy power equipment are clearly illegal. In fact, as my good friend, Assistant Treasury Secretary Eugene T. Rossides said recently:

What we are doing [in enforcing the anti-dumping statute] is the very opposite of protectionism. The anti-dumping statute is pro-free trade. The proper application of this statute can alleviate pressures for protectionism by making markets function fairly.

I am pleased that Secretary Rossides and the administration are beginning to police this area vigorously, and hope that my colleagues will join me in support of this effort.

The materials referred to follow:

EXHIBIT No. 1

THE CRISIS IN THE POWER TRANSFORMER INDUSTRY

(Excerpt from the testimony of Representative SILVIO O. CONTE before the Ways and Means Committee)

There is another important subject I wish to discuss today, Mr. Chairman. I refer to the epidemic of dumping that now afflicts our large power transformer industry. Unlike the matters I have discussed so far which involve a complex series of causes, the situation in this industry is a simple matter of price discrimination and unfair competition.

Many industries in the United States today find themselves in an economic struggle with manufacturers around the world. If this competition were free and untrammelled, it would be a healthy and vigorous indication of the international trade climate. Fair, open trade on a reciprocal basis can produce more and better products for Americans as well as for all other peoples. Free, fair trade is one of the fundamental concepts of our American system.

The Congress has demonstrated, through tariff reductions, its belief in liberal international trade during the Kennedy Round of Tariff Negotiations. Our laws have made the American market the most open in the world.

Today, however, the foreign competition that many of our industries are facing is far from free and untrammelled. In fact, the trade policies of most of the industrialized foreign nations are such that they keep their markets for many products effectively closed to American manufacturers while increasing their exports to our open market.

A good example of this worsening situation is found in the electrical equipment industry and particularly in the power transformer field.

Power transformers are major elements in all electrical transmission systems. Without them, long-distance transmission of electricity would be impossible. As the demand for electrical power and the amount of power transmitted increase, the system voltage must also increase; the size of generating stations grows and the ratings of power transformers get bigger.

For the past 80 years, American manufacturers have conducted the research, developed the technology and acquired the skills necessary to build these transformers. They are recognized as leaders in technical fitness and productive capability. One of the most prominent of these manufacturers is located in my district.

But imports of foreign-made power transformers into the United States are posing a serious threat to our domestic industry. As I have stated, this is not because of superior efficiency. Nor is it because of lower cost of foreign manufacturing. Lower labor costs abroad have been found to be offset, in large part, by more efficient production methods and facilities in the United States. It is because many foreign governments provide export subsidies to their heavy electrical equipment manufacturers and, at the same time, protect their home market at high price levels against American entry. It's a one-sided, unfair, losing battle. Recently, one manufacturer—Westinghouse—filed an antidumping action with the Bureau of Customs. It deserves a thorough hearing and complete support. Only this week an important first step in this case was taken when the Bureau of Customs made a preliminary finding that dumping was probably taking place, and launched a full investigation.

A look at the cause and effect of unfair foreign competition in this area can perhaps point to solutions.

American requirements for large power transformers are increasingly being filled from foreign sources. It is abundantly clear that unless some constructive legislative action is taken to arrest or reverse this trend, foreign manufacturers will be providing one-third of the total power transformers purchased by American utilities in four or five years. That is the situation in summary.

How did it happen?

After World War II the demand in the United Kingdom, Europe and Japan for electric power and, therefore, for large power transformers, was great. The capability of the electrical manufacturing industry in those countries was fully utilized, often with the aid of considerable American technical expertise, in keeping with our national purpose to assist the economy of these war-torn countries. When the extraordinary demands of these countries were met, their electrical equipment manufacturers found that their normal national requirements were insufficient to utilize their capacity. It was natural, therefore, that since the early 1950's they started looking to the American market. They are encouraged to do so, not just to be able to operate their facilities to capacity, but also because their governments seek American dollars.

Mergers, acquisitions and general restructuring of the heavy electrical equipment manufacturing industry in many countries, notably England, Italy, West Germany, Switzerland, France, Sweden and Japan, point to their effort to support the research and production facilities necessary to manufacturing the largest types of power transformers, for which America is the world's largest market. Their effort is paying off for them. In 1969 foreign manufacturers cap-

tured 22 percent of the dollar volume of power transformers purchased by electric utilities in the United States. Only one of the seven or eight highly competent American power transformer manufacturers secured more business than this.

One of the most disturbing factors in this gloomy picture is the action of our own government-owned utilities, primarily the Tennessee Valley Authority, and the Bureau of Reclamation. Their purchases of transformers from overseas suppliers has steadily increased to a point where they exceed 95 percent of the electrical capacity purchased, for the past three consecutive years. The reason is low price—but artificially low price.

Privately owned utilities, customarily measured for efficient procurement against government-owned utilities, are forsaking their previous preference for domestic equipment and shopping overseas for these artificially low prices. Several of them are now purchasing 20 percent or more of their requirements abroad.

In the past six years, nearly \$100 million worth of power transformers have been purchased from foreign suppliers. Even at a conservative estimate, this represents at least six months' work for all of the employees in the entire United States power transformer industry. That work is lost forever to them and to the countless other American workers who supply materials and services to the power transformer industry. It also means lost tax revenue.

But that's not all. Our nation is running the risk of losing its technology in this vital area.

Electricity revolutionized American industry. We led the world in development and use of this energy form. Experts tell us that our electric utility industry must continue to double in size every ten years to keep pace with future demands for electricity. Knowledgeable people, including Secretary of the Interior Hickel, believe that a national power grid will have to be installed within a few years. Already, many areas of the country are interconnected by high-voltage transmission systems, and more inter-connections are effected each year. Such systems operate at very high voltages: 345,000 and 500,000-volt systems are quite common. Recently, one utility—The American Electric Power Company—energized a 765,000-volt system, probably the highest voltage system in the world. But even higher voltage systems may be needed in the future.

In all these systems, power transformers are essential equipment. These are the very items being purchased increasingly from foreign sources. Of the 765,000-volt transformers purchased, 21 percent have been foreign made. Overseas supplies have secured 20 percent of overall American purchases of 500,000-volt transformers, but have supplied 75 percent of TVA's requirement in this rating. These are not simple pieces of equipment. They are huge and require skillful engineering. Some of them weigh three-quarters of a million pounds and cost about as many dollars. Decades of research and experience back up the technology necessary to design and build them.

I have personally seen many of these large power transformers. I have watched them being built and tested. I know many of the engineers who design them and the skilled craftsmen who put them together. There is no doubt in my mind that the technology required for the future can be developed by American manufacturers. But why should they bother? If the current trend continues and more and more of these high-voltage units are purchased overseas, there seems little incentive for any American manufacturer to invest the time, money and manpower needed to keep up the technological pace. Power transformer technology is in danger of being transferred overseas.

But this is not the only risk. America's national well-being is involved. Great power systems in this country, dependent on foreign suppliers, might be unable to secure service or parts in time of emergency, or in periods when these foreign suppliers had to give priority to their home market demands. Besides, it is unlikely that present "cut-rate" foreign prices would long prevail, if American power transformer manufacturers were no longer considered meaningful competitors.

Nevertheless, "cut-rate" prices are the reason for the alarming upsurge in purchases of foreign-made power transformers. A hard-headed utility executive or prudent purchasing agent cannot be blamed for taking advantage of a bargain. Some foreign bids have been 25 to 30 percent lower than domestic manufacturers' prices. They have also been well below the prices at which these same foreign suppliers have sold similar equipment in their own domestic markets.

Foreign suppliers can consistently underbid their American competition in the American market because their governments subsidize them for all exports to the United States. Different countries have different forms of subsidy—tax rebates or abatements, adjustments to corporate income tax, in some instances tax forgiveness, guaranteed financing and event direct payments for power transformer exports to the United States.

These are powerful incentives, but there are still more. In many industrialized countries, the electric utility industry is either government-owned or government-controlled. Investigation has shown that these utilities purchase equipment from their domestic suppliers at prices sufficiently high to offset the low prices these same suppliers charge in the United States. At the same time, because their home markets are protected, foreign manufacturers have no fear of American competition, and frequently sell in their own domestic markets at prices higher than those charged by United States manufacturers for similar equipment.

Earlier, I mentioned that American utilities had purchased \$100 million worth of power transformers from foreign suppliers during the past six years. It is noteworthy that, in the same period, the extremely few transformers sold by American manufacturers in the home markets of these foreign suppliers were special types they could not build themselves.

There is nothing reciprocal about this kind of trade. It is unfair competition. It is a one-way street.

The American electrical equipment manufacturing industry has publicly declared its support for free, fair, reciprocal international trade. I know our American producers of large power transformers have the technological, engineering and manufacturing skill, and the research and production facilities and capability to be worthy competitors in their field. But only the Congress and the Government can remove discriminatory obstacles to their export trade. Unless or until this is accomplished, this major industry, on which so much of our internal economy has depended, will remain in jeopardy.

Mr. Chairman, I referred earlier to the major Antidumping Act case filed by Westinghouse. As we watch its progress, we will have a better idea of whether legislative changes are needed to make this relief more effective.

Already there have been major criticisms of the antidumping law. It has been pointed out that the recent tendency to accept written assurances that dumping would end without an actual finding of dumping, constitutes, in effect, a license to continue dumping until a finding is about to be made.

In a thoughtful presentation before a conference on the crisis in international trade sponsored by the Industrial Union Department, AFL-CIO on March 19, 1970 U.S. Tariff Commissioner Bruce E. Clubb recommended three changes in the present law: an end to

the undue delays that now occur in such cases, an end to the two-stage proceeding involving both the Treasury Department and the Tariff Commission, and provisions for a right of appeal when dumping is not found.

I urge this Committee to keep these proposals in mind and to exercise strong legislative oversight of the effectiveness of the present act and its implementation. As I said before, there is simply no justification for continuing this price discrimination.

EXHIBIT No. 2

FOREIGN COMPETITION IN POWER TRANSMISSION EQUIPMENT

(This study is edited slightly to omit references to charts and photographs not reproducible in the RECORD)

The General Electric Company is deeply concerned with the nature and the effect of competition from foreign producers in the heavy electrical apparatus industry. We are particularly concerned with the success of foreign producers in that sector of the domestic market represented by the Federal Power Agencies. These government agencies are major purchasers of heavy electrical apparatus and their buying practices have a significant influence on the private electric utilities throughout the United States.

We would like to explore the background of this domestic market situation and some possible solutions which are within the scope of the national interest in a free, fair trade program.

At the outset it should be emphatically understood that the General Electric Company does not advocate "protectionism". On the contrary, we support the concept of free, fair trade. We feel strongly that our product offerings, costs and effectiveness permit us to compete in all open markets where the conditions for competition are fair.

The problem, as we see it, is that in the domestic market for heavy electrical apparatus trade is not fair at the present time. We plan to document this unfair trade situation in the course of our comments.

The particular heavy electrical apparatus to which we are referring includes equipment used for transmission and distribution of electric power throughout the United States, which produces and uses 35% of the world's electric energy.

Extensive transmission lines link the utilities together throughout the nation. The most important of these transmission links are in areas of the new high voltage technology—345, 500 and 765 kilo-volts (KV)—termed Extra High Voltage or EHV. The highest voltage commercially in operation at this time is 500 KV.

Over the past few years, there has been a very rapid growth in the number and length of EHV lines designed to link the utilities together in large power pools. This linkage results in both the economical transmission of bulk power and greater reliability by providing for the interdependence of contiguous utility systems. The extent to which the United States depends on the reliability of this power system is brought sharply into focus when we consider the disastrous results which could be associated with massive blackouts in peace time, and the possible loss of our power system under conditions of war.

The Federal Power Commission report of July, 1967 commented on these points as follows:

"Economy and reliability are closely associated objectives in the supply of electric bulk power, but reliability must have priority if any conflict occurs."

"Progress toward stronger transmission systems must be accelerated if all utilities in the United States are to be able both to provide and receive strong emergency support."

"Transmission must be recognized as the principal medium for achieving reliability,

both within a system and through coordination among systems. It is the cohesive force which ties together power systems."

This power grid has developed because the electric utilities have been willing to invest in the system and because the U.S. electric manufacturing industry has committed its resources to provide the needed equipment.

An example of the capacity of this equipment is the fact that one 500 KV transformer/breaker is capable of carrying sufficient power for two cities the size of Boston.

These highly sophisticated and massive equipments require unique resources in the form of technical skills, manufacturing facilities and laboratories.

General Electric has over 1700 professional personnel committed to the design, development, manufacture and application of these equipments. Over 1100 of these people are scientists, engineers or technicians.

The required investment in facilities is substantial. An example is General Electric's new \$37 million transformer manufacturing facility now in production in Pittsfield, Mass.

The manufacture of large circuit breakers also requires manufacturing facilities with high head room and ability to move massive equipment.

In our Laboratories new designs and new technologies are exhaustively tested, often to destruction. The Laboratories are the most complete and modern facilities in the world for the high energy testing required to prove out this equipment.

Such laboratories and facilities are committed to providing the technology and equipment to help build the United States electrical system of today and also for tomorrow. By the year 2000, the nation must multiply the capabilities of today's electric power system seven times, while providing systems and equipment that will meet increasingly stringent reliability requirements.

The magnitude of system change, the implications for national security and the need for a strong, healthy and dynamic electrical manufacturing industry dictate that the potential for growth in electrical technology and manufacturing capacity should be maintained in the United States.

Yet in the face of this need foreign manufacturers are realizing increasing success in placing foreign EHV equipment on U.S. lines.

The pattern of success is most pronounced in the Federal Power Agencies, the Tennessee Valley Authority, the Bonneville Power Authority, and the Bureau of Reclamation. We emphasize that the EHV equipment involved represents the most advanced technological frontiers of high power transmission and it therefore is of significant importance to both the manufacturers and all electric utilities in the United States.

As we have stated, General Electric believes in free, fair trade and desires to compete world-wide on that basis. If we cannot effectively in an open market under fair competitive conditions, as business men, we believe that we should question seriously the economics of continuing in the business.

The issue we want to consider first is why are foreign producers enjoying this success in the U.S. market.

We as manufacturers feel completely capable of competing on the merits of our EHV power transmission equipment. We believe our product offerings to be technologically equal or superior to foreign manufacturers and competitive in cost. The efficiency of our direct labor and manufacturing methods fully compensate for our substantially higher per-hour labor costs and material costs are on balance competitive.

We believe that the foothold in the U.S. market established by off-shore producers has been gained principally as the result of trade inequities intended to stimulate export sales especially into the United States, which is the largest open national market for heavy electrical apparatus in the world.

Dual pricing structures and nationalistic procurement policies practiced or supported by key foreign governments are the major instruments used for this purpose. These practices are supplemented in various countries by such additional devices as tax incentives, low cost credit, research and development subsidies, and export subsidies.

Using dual pricing, French and English manufacturers, for example, sell at high prices to the nationalized utilities in their captive home markets. The high domestic prices liquidate their total expenses, and permit offshore sales based on variable costs only. These protected home markets tolerate dual pricing as a matter of policy.

We cite three instances of this:

The first example is in the French market for power circuit breakers. Mr. R. E. Bednarek, Manager-Marketing for our Power Circuit Breaker Department, called on Electricité de France, the French National Utility, in June, 1967. We quote the following from his affidavit on the results of that meeting:

"Upon completion of my product descriptions, Mr. Michaca (directeur de Etudes de Recherche, E.D.F.) stated that there was no problem in applying our equipment to the EDF system . . . At this point I gave them prices for five ratings of power circuit breakers. The prices were essentially at the same price levels quoted to domestic U.S.A. utilities. To these prices we then added 17.6% tariff and then an additional 25% use tax. Mr. J. A. Duverny (Chief du Service Matériel Direction de l'Équipement du Réseau de Transport) then said that all the prices with the exception of the 115 KV were competitive and 'in the same range as domestic prices.' At 115 KV, they buy a 2500 MVA unit which has a rather low price because it can be made as a single break device. . . . I then asked 'can I be allowed to tender quotations for his breaker requests?' He replied: 'at this time I am not in the market for any breakers, however, if I was I could not buy from you because it is our policy to buy only domestic products.'"

The second example is in the British market for power transformers. We quote from a letter from Sir Stanley Brown, Chairman of the Central Electric Generating Board (CEGB) of the United Kingdom on January 18th, 1968 in response to an attempt by our Canadian subsidiary to sell transformers in England.

"You also ask for 'advice as to our policy.' You are no doubt aware of the current situation in which the very low rate of growth of demand in this country coinciding with approaching completing of the main 400 KV grid is resulting in a very abrupt reduction in our requirements for large transformers. Under these circumstances, I think it is unlikely that we should need to seek tender from a wider circle than our home manufacturers."

The third and perhaps most startling example is an agreement entered into in March, 1967 between CEGB and four British switchgear manufacturers. We have copies of that document, which is quite lengthy. The agreement covers 400, 275 & 132 KV switchgear and "will run for an initial period of five years from 1st January, 1968." It provides for an "agreed Schedule of Prices," which is intended to yield the manufacturers an "agreed profit margin at 16 1/2% on sales, and a similar rate of return on capital employed, on the average over the five year period. It also includes a "uniform method of ascertaining costs."

These three examples illustrate the effective closing of these markets to U.S. manufacturers while the American market remains open for low price exploitation.

Tax and credit incentives such as specific insurance policies against cost escalation, and research and development subsidies—

such as those available to French manufacturers—also contribute significantly to the ability of various foreign manufacturers to quote low prices in the United States.

The avenues of the support and subsidization foreign manufacturers enjoy are numerous. In 1967 the Department of Commerce issued a comprehensive report listing over sixty different ways that the French ". . . stimulate and assist the export of French products."

With regard to one such avenue, the subsidy of research and development effort, we quote from a speech given at the National Academy of Engineering in Washington in April, 1968 by Pierre Algrain, Director General of the Recherche Scientifique et Technique of Paris:

"For the last three years, for example, we have had a scheme which is operated by the agency I am responsible for in which the government will pay fifty percent of development costs on a new product after a group of experts have felt that the product or process was interesting, fifty percent of the development cost in the form of a loan which will be repayable with a small premium if the product is successful commercially. If it is industrially successful, if a few years later the company really makes money on this new product, then it will repay the loan by a small percentage of cost. If, on the contrary, the product is not a success, then we write off the loss.

"I will take a simple case. This scheme made it possible to develop a 765 kilovolt circuit breaker for high voltage transmission lines by a company in Grenoble. It turns out there is no market for a 765 kilovolt circuit breaker in France, and even in Western Europe at the present time, because of the general size of transmission lines, and because of the very concentrated nature of Europe, we don't have yet to resort to these extremely high voltages for high power transmission. So all sales of that circuit breaker have been to Canada, the United States, and the USSR. Not a single one has ever been sold in France, and probably none will be sold in France for some time to come."

Nor is subsidizing research and development for export products peculiar to the French. Quoting from the CEGB-Switchgear Agreement mentioned earlier: "All research and development expenses referred to in this paragraph should be charged to the home trade business only."

Our economic studies show that as one result our principal overseas competitors are pricing on the basis of labor and materials cost, with little or no allowance for overhead costs. In the case of France, and some other European countries, foreign manufacturers, through tax allowances, are spared the level of tax costs which attach to American-made products. It follows that any profit factor adopted by the foreign producer can be related to the base material and labor costs only.

The resulting disparity in export and domestic pricing is reported in a study of the British Power Transformer Industry by Dr. Horace J. De Podwin. Page 91 of his report states: "This analysis shows that British manufacturers bid for U.S. contracts in 1965-66 at 25-45% below prices at which they sold comparable transformers to CEGB."

If it is considered that in connection with circuit breakers, for example, our research and engineering costs, year after year, are a substantial portion of our costs, and that our corporate and personal income taxes are not subject to rebate—if we combine these elements with the evident intent of foreign governments to actively support and encourage exports to U.S. markets through the various practices described earlier, it becomes understandable how price differentials of

one-third or more can exist between U.S.-made products and foreign-produced equipment.

It is true that American manufacturers are given some advantage through the evaluations permitted under such acts as the Buy American Act. As presently administered, this grants a 6% favorable evaluation to domestic products. This is insignificant compared to the incentive provided by many foreign governments to their respective manufacturers.

On the basis of these factors, and the inviting size of the U.S. market, it is not surprising to find a wide diversity of foreign competitors in the market. Substantial U.S. domestic transformer orders have gone to manufacturers from Sweden, England, Japan, Italy and Austria. Many circuit breaker contracts have been awarded to the French who have taken an especially strong position in this product. Other breaker contracts have also gone to Swiss and Japanese manufacturers.

Foreign producers have obtained a significant share of the American market for 500 KV breakers and transformers in the last six years. Since 1963 the penetration is so great that 75% of the 500 KV circuit breakers and 73% of the 500 KV transformers on Federal systems are now foreign.

The impact of Federal Power Agency purchases cannot be minimized. They represent approximately one-third of the total U.S. market for extra high voltage transmission equipment and, by their example, place tremendous leverage on the private utilities to follow a similar buying pattern.

The foreign marketing strategy is obvious. First, penetration of the market started at the higher voltages, which are the frontiers of the transmission technologies. It is proceeding to work down into the lower voltages.

Second, market penetration started in the Federal Power Agencies and presently dominates their purchases. It is now swinging to the private utility sector as well.

We are competing in a finite market determined by the load growth of the power systems. Once an order is lost by an American manufacturer it cannot be made up—nor can the American manufacturer secure a compensating order from a foreign industrialized nation whose purchases are limited to internal suppliers. A transaction lost to an off-shore supplier means lost hours of work for American labor, lost opportunities to hire and train people in hard core unemployment areas, and lost tax revenue for federal, state and local governments. A transaction lost adds to the growing balance of payment problems in the United States and has the effect of exporting dollars that would have been reinvested in research and development for the next generation of transmission equipment.

But the consequence is not merely the fact of lost sales and the resulting economic impact.

The capability to develop, design and build heavy electrical apparatus for the United States domestic power industry is a critical national resource.

The Report to the President on Underground Power Transmission made by the Department of the Interior in 1966 confirms this point.

"Recognizing that the technology necessary to accomplish the objectives of the program (Underground Transmission) will truly be a national resource, the research work and any necessary procurement required to develop this resource will be done with the objective and in a manner to advance domestic technology."

We concur wholeheartedly with this statement. We believe that the technology associated with the generation and transmission of power should be advanced from within the United States.

We would accept the threatened loss of leadership only if we were satisfied that the foreign producers are outperforming American manufacturers—namely, *better equipment at less cost*. The best that can be said for them is that they are offering good equipment at less price—a price which does not have to provide for the same or similar cost elements which American manufacturers must confront.

We do not want to create the impression that American electrical manufacturers are passively submitting to these forces.

In the period from 1961 to 1968, American industry, through technology and productivity, has continuously lowered the cost of the equipment in terms of its capability (\$/KVA and/or \$/MVA), in turn enabling the utilities to add more and more capacity with less investment. Both transformers and circuit breakers are capable of handling more power per dollar of investment than ever before.

Notwithstanding this demonstrated progress, it is not economically feasible for the American producer to contest on all fronts simultaneously: to produce reliable equipment; to maintain the lead in technology; and to meet foreign price levels which are subsidized by mechanisms such as dual pricing and nationalistic procurement practices.

We felt that the only immediate solution to our problem will come about through specific action by the Federal Government and especially, through the Executive branch.

During the previous administration, this situation was brought to the attention of many government representatives: the Federal Power Agencies, Department of Commerce, the Department of the Interior, the Department of the Treasury, Bureau of Budgets, the Federal Power Commission, Ambassador Roth—Special Representative for Trade Negotiations—as well as many private utilities. This situation is recognized by Ambassador Roth's Report to the President, dated January 14, 1969, page 25:

"3. Government Procurement

"Government procurement, including direct purchases and those by state-owned companies and quasi-autonomous entities, has a substantial impact on international trade. As the scope and volume of these purchases have increased in recent years, the disparities in practice among the major trading nations have created an increasingly serious distortion of trade.

"In the United States, government procurement for use in the United States is governed by the Buy American Act and implementing regulations. The margin of preference is a clearly stated percentage difference between foreign and domestic bids. Except for certain contracts involving goods and services essential to the national security, foreign suppliers are regularly afforded a clear opportunity to bid on government projects and are awarded contracts on the basis of their bids.

"In most other countries, by contrast, government procurement is usually carried out under a very high degree of administrative discretion, unquestionably favoring domestic suppliers even where there are published standards and procedures. As a result, U.S. and other foreign suppliers frequently have no established means of competing for contracts or sometimes even of learning of the existence of a government project. Moreover, some foreign governments consistently invite bids only from domestic firms and thus exclude foreign suppliers entirely. This is especially true in the field of heavy electrical equipment."

No solutions have resulted from these efforts or from recognition of the problem, and the situation continues to deteriorate.

Under these circumstances, we believe that U.S. trade and procurement officials should

make a determination—now and for as long as present non-tariff barriers and other inequities with respect to trade in EHV power transmission equipment are practiced by foreign countries and foreign suppliers—that

1. Domestic capabilities in the high technology areas of EHV power transmission equipment are a national resource and should be actively encouraged by the Federal power agencies in the national interest, and

2. Strong U.S. commitment to expanded reciprocal international trade can be demonstrated effectively only by affirmative action against the present *one-way* street in the international trade of power transmission equipment.

This affirmative action would be accomplished by having the various Federal Power Agencies adopt a course of action which would be in effect a moratorium on the purchase of EHV power transmission equipment until such time as present nontariff barriers and other trade inequities are removed and a free, fair international trade climate does in fact exist. Specifically, we suggest that the Federal Power Agencies be requested to adopt an effective Buy American differential—such as 50%—for foreign-made EHV power transmission equipment. We believe that there is ample existing authority for them to take such action based on the broad discretionary authority vested in them by the TVA Act and the BPA Act to observe procurement practices which best serve the public interest.

Not only would the foregoing have a significantly favorable effect on the U.S. balance of payments, it would also help to induce foreign governments to abandon their nationalistic procurement practices, promote bona fide worldwide competition for this equipment, and provide U.S. negotiators with an additional position of strength in the ongoing negotiations in OECD and GATT to remove existing non-tariff barriers.

GENERAL ELECTRIC Co.,
Power Transmission Division,
Philadelphia, Pa.

FUEL OIL CRISIS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mrs. HECKLER) is recognized for 10 minutes.

Mrs. HECKLER of Massachusetts. Mr. Speaker, there must now be fast and effective action taken to relieve New England's growing emergency fuel oil crisis. With the approach of winter, which can be especially severe in New England, we have passed the point where further delay is tolerable.

Sometime this week we expect to learn the recommendations of the Energy Subcommittee of the President's Domestic Council for dealing with the national energy crisis. Obviously I trust that it will supply the answers we are looking for; however, it is my strong belief that any plan to meet the national energy crisis must spell out extraordinary action to meet New England's special needs. The energy crisis is nationwide, indeed worldwide, but New England's needs are unique because she is far more heavily dependent on fuel oil imports and a greater consumer of all fuel oils than other sections of the Nation.

For example, Massachusetts, with only 2.8 percent of the Nation's population, consumes 11.1 percent of all home heating oil and 10.3 percent of all residual oil in the Nation.

Nearly 70 percent of the fuel require-

ments of Massachusetts industry and electric powerplants is met by residual fuel oil. Nationwide, residual oil represents less than 10 percent of industrial and thermal electric fuel consumption. In Massachusetts, 90 percent of all schools are heated by oil. It is especially significant to note that 70 percent of all homes are heated by oil. The homeowner, already staggering under steadily rising home-heating oil bills, is going to be hit far harder if no relief is provided and if schools, powerplants and municipalities must suddenly convert to other types of fuel and fuel-burning equipment this winter. The high costs of conversion will inevitably be passed along in increased taxes.

In my district, the 10th Congressional District of Massachusetts, we have confronted crisis after crisis in recent weeks—the asphalt shortage, which seriously delayed essential road repairs; the fact that the public schools of Sharon, Wrentham, and Dover-Sherborn have found they can get no bids whatsoever to supply heating oil for the schools, Mr. Speaker, we cannot simply close our schools, barricade roads, or shut down powerplants. Our latest crisis involves the city of Taunton which has declared a state of emergency because its electric powerplant has only a few weeks' supply of residual fuel oil remaining and cannot obtain commitments for more when the supply is exhausted. City officials have considered the possibility of closing down factories for certain periods in order to conserve power for residential use. Mr. Speaker, factory shutdowns mean unemployment for workers. I deplore the possibility that any factories should have to close, sending their workers home.

My district is a microcosm, reflecting problems that are prevalent throughout New England. There will be other Tauntons unless effective relief is forthcoming rapidly. I am still working at the Federal level to insure that Taunton is guaranteed an adequate fuel oil supply. I believe that emergency sources of oil supply must be located at once, and directed to New England, if we are to meet our various crucial needs.

When I testified on fuel oil problems last week before the Small Business Subcommittee of the Senate Banking and Currency Committee, I also discussed a study just completed by the Associated Industries of Massachusetts in conjunction with Arthur D. Little, Inc., of Cambridge, of industry's increasing problems in procuring fuel oil. I was disturbed to read that small businesses are increasingly mixing No. 2 fuel oil—which is the lighter home heating oil—with heavier fuel oils, in order to reduce the sulfur content of the oil to conform with new air pollution control standards. Since I am a member of the Small Business Subcommittee of our House Banking and Currency Committee, I am deeply concerned with the difficulties facing small businesses because of oil shortages.

I strongly support Massachusetts' new air pollution control standards, which take effect October 1. However, this increasing industrial use of No. 2 fuel oil

threatens to drive up the price of home heating oil for consumers. This must be prevented by procuring sufficient No. 2 fuel oil so that prices are not further inflated, while high air quality is assured.

I believe this argues strongly for AIM's recommendation that import quotas on No. 2 fuel oil, which is already scarce, should be temporarily increased until the needs of all East Coast users are met. Personally I would prefer to see mandatory oil import quotas entirely abolished.

Mr. Speaker, this summer I attempted to prevail upon the President and his Director of Emergency Preparedness to order an immediate crash study of New England's unique fuel oil problems to develop specific plans for both immediate and long-range relief, with the study to be undertaken by either the Domestic Council or the Oil Policy Committee. I shall look for specific recommendations of this kind in the Domestic Council's energy crisis report. The President, in June, took a step to provide some relief for New England by ordering small, short-term increases in imports of No. 2 fuel oil and asphalt. The administration has indicated it will review the effects of this action in January; however, in view of New England's steadily worsening problems, I think that review is needed at once.

I hope the Domestic Council proposes incentives or other means to encourage domestic industry to increase its production of residual oil and build additional refining capacity. But, to meet the present emergency, I think that we must secure whatever additional oil is obtainable from sources in Puerto Rico and Canada, although I understand the quantities available are small. I think consideration must be given to taking U.S. Navy tankers out of mothballs to help carry additional oil to New England. The flow of available oil, and the means of transporting it, must be redirected toward the Northeast, with consideration of other national needs, of course. These actions are needed at once to insure sufficient supply for the remaining winter months, and to allow the various oil companies, suppliers, and independent terminal operators to plan ahead for the procurement and transportation of oil.

In addition, I think much can be gained if the administration begins a national effort to secure voluntary conservation of fuel oil.

The crisis is here, and the consequences can only be disastrous if there are further delays in achieving a realistic response.

RHODESIA—RICHARD COTTEN'S REPORT

THE SPEAKER pro tempore. Under a previous order of the House, the gentleman from Louisiana (Mr. RARICK) is recognized for 10 minutes.

Mr. RARICK. Mr. Speaker, since the UNO sanctions a declaration of economic war against Rhodesia many Americans, weary of their slanted and discredited press, have visited that country to see conditions for themselves firsthand.

Without exception, all have returned reporting Rhodesia is no threat to in-

ternational peace. To the contrary, they report finding a friendly people, an atmosphere of peace under law and order, and a small nation which prospers despite malignment by the UNO at the insistence of the Government of England and rubberstamped by the party in power in the United States.

One recent such American visitor to Rhodesia was Richard B. Cotten, nationally known writer, publisher, and radio commentator of Conservative Viewpoint (Box 17194, Dulles Airport, Washington, D.C. 20041). Upon his return, Mr. Cotten published his interviews with the various government leaders in a booklet entitled "Rhodesia." His booklet, dedicated to Rhodesia, a nation where the "men of the West" have not lost the will to live, contains several interviews which I feel will be of interest to our colleagues. I include a portion of the interviews from Mr. Cotten's publication:

RHODESIA

(By Richard B. Cotten)

(Dedicated to Rhodesia, a nation where the "men of the West" have not lost the will to live.)

PRIME MINISTER IAN SMITH

Mr. COTTEN. This is Richard Cotten speaking, and I speak to you today from Salisbury, Rhodesia. Many of you have listened to my radio broadcasts, Richard Cotten's Conservative Viewpoint, and are aware of our interest in the situation in Rhodesia. Prime Minister Ian Smith has very kindly consented to an interview which we trust we will have an opportunity to share with Americans from coast to coast, with a view to correcting this incredible situation wherein we fight our friends and trade with our enemies.

Mr. Smith, it is very, very kind of you to consent to this interview. I believe that Colonel Dall of Friends of Rhodesia Independence came here just some time last year and you greeted him wonderfully well, and because of that effort, we have now Friends of Rhodesian Independence, bringing another tour group. I am acting in the capacity of host to that group, and the dual capacity of getting interviews for Conservative Viewpoint.

PRIME MINISTER. Well, I would like to wish you all good luck as we did to Colonel Curtis Dall. We found both he and his companions were wonderful people and I am sure we will find you the same.

Mr. COTTEN. We have been here the better part of two weeks now. We have had an opportunity first to be greeted by your officials in the capital of Salisbury, and I imagine many of us expected to merely find tracks in a desert. Instead of that, we found a very modern and bustling city. We then traveled to your Eastern Highlands and were greeted by such dignitaries as the Mayor of Umtali, who is a very impressive person, and who would love to see us bring immigrants to work in the many industries. We traveled to the beautiful Victoria Falls.

I think the message that is essential to bring to Americans is the unity of your people, Europeans and Africans alike, fighting together very much what I would term shoulder to shoulder in the interests of Rhodesia. Could you comment on that, please?

PRIME MINISTER. I think we can honestly and sincerely claim that we are standing together. Our policy is one where merit is the criterion, and we honestly believe that a man is entitled to progress, to prosper and to ascend the ladder of promotion according to his ability. And we try to make this and only this the criterion and never the color of a man's skin. I think that it is because we have been successful in this direction that

we have this great racial harmony in Rhodesia today. Where although the White man is outnumbered, and considerably outnumbered by the Black man, I believe there is greater racial harmony in Rhodesia than any other country I can think of, where there is a problem of different races living together. And this is what we are striving to maintain.

Mr. COTTEN. I am watching the very careful manner in which you are working with the tribal areas where there were Africans who wish to maintain that way of life and are being encouraged to do so. Yet I see they are not barred in any manner from entering the life of your cities. Is that a fair analysis?

PRIME MINISTER. This is correct. They, as you know, only came into touch with civilization about 70 or 80 years ago, when our forefathers came here as the Pioneers of Rhodesia. So it is not surprising that they still have a long way to go up the ladder of civilization. I believe that you rush this civilizing process at your peril, I think it is something which cannot be turned into a revolution, but must remain as it has always been—an evolutionary process. So that is the basis on which I start, I would also say this to you that as far as the indigenous African is concerned, he is one of the happiest people in the world, with a wonderful way of life in their tribal areas. In fact the more one sees of this in many ways, the more disenchanting one becomes with modern civilization. But we are trying to blend the two together—realizing that they cannot forever stay in that state. But we think it must be an evolutionary process. We must be sure of our road and our way. We mustn't make mistakes.

Mr. COTTEN. This is exactly what I have seen evidenced. I have found their housing, as an example, quite adequate in and around Salisbury. One community I believe has 65,000 people in it. And, unlike our public housing, they must be employed to live there, and they must pay rent. I didn't see any evidence of a Police State maintaining law and order in it. It's really a blessing after our own capital.

PRIME MINISTER. We are sometimes accused of being a Police State, but many things about Rhodesia have been distorted overseas, and I think this more than anything. I can assure you that we meet many people here, not only from America, but from all countries on the Continent of Europe. And this is one of the first things they laugh at—the story of a Police State. Because inevitably they say: "We see less policemen here than in our own country. It seems to be more peaceful here than in our own country", and indeed whenever they see a policeman, the policeman isn't armed. This is a regular story that we hear.

Mr. COTTEN. I have had the opportunity to hear the stories of the cases where the terrorists penetrate from across the Zambezi and are turned in, in one case by one of your African schoolteachers while working with his pupils. I understand they are all rounded up in this fashion constantly. Is this correct?

PRIME MINISTER. This is quite correct. There have been many cases I can assure you. And one of a very old African Chief who had, I think, an old shotgun that he used to keep wild game out of his crop lands. And on one occasion he, personally, with one of his assistants arrested one of these terrorists, who was hiding in a hut. Here was a terrorist who was armed to the teeth with modern automatic weapons, but it did not deter this fine old Chief. He brought him in and handed him over.

Mr. COTTEN. I have had the opportunity of meeting those Chiefs who are also your Senators—eight is it?

PRIME MINISTER. Ten.

Mr. COTTEN. Ten, excuse me, and they very kindly consented to an interview and I am endeavoring to bring a message from them to our nation. I find that they are the very epitome of representative government, right

from the kraal, or whatever it is termed, right up to these Chiefs who in turn were elected by a Council of Chiefs. Is this the way that works?

PRIME MINISTER. Yes, this is correct. It is a very fine democratic system which actually goes right back to the grass roots. They have each little kraal, as it is called, which elect their kraal head, and then a number of kraals go together into a group and they elect their headman, and then a number of those groups go together and they elect a Chief for the whole of the district. And that Chief has representation right down from the lowest part of the community, the kraal. And in many ways I think it is a far more effective system than our own democratic system.

MR. COTTEN. It's certainly more effective than the mobocracy that we have created as a democratic process in the United States. I noticed even as we asked the Chiefs to make a statement on behalf of the other Chiefs they were very hesitant. They wanted to be very sure that there was a consensus, which I understand usually ends up unanimous, before they resolve a case. I did have the opportunity to ask them if any of them would, to their knowledge, delight in seeing Whitey, meaning the European, leave, and instantly and emphatically they didn't want any part of that. They know that you are working as a team to their mutual advantage.

I have read a little of your history now. The two tribes are still a bit of a mystery to me. Could you tell a bit about that?

PRIME MINISTER. Yes. The two main tribes are the Mashona and the Matabele. Now the Matabele were the people who came from south of us, and they were originally the Zulu that came from Zululand. That is near Natal in South Africa. A very strong and indeed a warlike tribe. They had a great history of fighting wars against the South Africans. And eventually a fraction of their tribe broke away, because the son, Mzilikazi, had a conflict with his father. And according to their tradition, even if it was his son, when he came back with his warriors they would have all put to death. So they broke away and came north. They crossed the Limpopo and settled in Rhodesia, and this is the Matabele.

And here, in the eastern part of Rhodesia, is the Mashona, from Mashonaland, and I think they traditionally came from the north.

And these are basically the two main tribes that lived in Rhodesia at the time when the white man came. And in those days they used to fight one another and massacre one another and it was mainly the Matabele, the more warlike tribe, that used to come off best. They used to go away taking the cattle and the young girls from the Mashona.

And, of course, since we've been here this has come to an end and they have now learned to live peacefully side by side, and they work together as they do with the European. So there aren't really just two main groups—the white and the black. There are three main groups—the Mashona, the Matabele and then the white group, the Europeans as we call ourselves. And we are working in great harmony today. Our major problem is that the rest of the world seems unwilling to leave us working quietly in harmony, they want to interfere to ensure that they can break that harmony.

MR. COTTEN. Prime Minister, I was very impressed with the information accorded my group by your Ministry of Information, and that, of course, included The Ministry of Immigration. Many Americans, as they watch what we term "big brother government" grow by leaps and bounds, are thinking in terms of migration. I am finding that your country is in the middle of, what I have to term, a business boom, and, of course, sanctions appear to have hurt the African more than the European. Were it not for the sanctions,

business would boom more and the European would hire the African roughly at the rate of 20 to 1, as I have seen it. Would you comment, please, on the immigration policies of your country and the availability of opportunities?

PRIME MINISTER. Well, we are a young growing country and we have lots of open spaces. I also believe we are a very rich country. I think we have some of the greatest agricultural potential that I have heard of, and minerally even today there are some wonderful deposits here which have been exploited, amongst some of the best in the world, and indeed American capital is involved here. But I believe that in this field we have hardly scratched the surface. So the possibilities are tremendous. I would say that this is one of the few opportunities left in this world for people to buy land at a reasonable price, indeed very cheap according to world standards. So we are looking for good emigrants with know-how and capital. I think they will assist us. But I repeat I believe that they will find that there are glorious opportunities for investment in this country, where we do try to maintain high standards in keeping with the high standards of western civilization that we inherited. I wish I had a little more ready cash and I would be happy to invest it in land in Rhodesia.

MR. COTTEN. I find the opportunities endless in your secondary industry, I guess you would term it. You manufacture your own pencils now. You have your own—oh, you name it. Every item I pick up now has a "Made in Rhodesia". You must have literally hundreds upon hundreds of new businesses springing up.

PRIME MINISTER. Well, this is so, and indeed I love to go every year to the big national Trade Fair that we hold to see what Rhodesian industrialists are doing. And I must confess that every year I am absolutely amazed at what we are producing. But this is, of course, where sanctions have assisted us. You did make the point earlier, correctly so, that sanctions effected the black Rhodesian more than the white Rhodesian. This is what makes them so hypocritical, because they are supposed to affect the white Rhodesian and help the black Rhodesian. Whereas in fact it is the reverse. I would like to say this to you that sanctions have been a boom to industry in Rhodesia. We have had sanctions for just over four years now and I believe that our industrial development has gone ahead at a pace which would have taken us twelve normal years and we have done this in four years. So this is what sanctions have done for us. It has been a great asset to industry.

MR. COTTEN. Mr. Minister, I am sure you must wonder, and quite properly, why Americans act as they do. For example, in the matter of chrome which we are perfectly well aware we are refusing to buy even from American companies in Rhodesia, and yet we pay twice the price for it to buy it from the Soviet Union, whom we know is furnishing the weapons of war to kill our soldier sons in the Vietnamese situation. The only explanation, and I am sure you have reached the same conclusions, is in terms of international subversion—let's call it international Communism. It must be somewhat frightening to realize the inference of this—the degree of penetration of the western world—when you find all of these nations agreeing to sanctions. Your comment if you would, please—relative to the international conspiracy, this control mechanism.

PRIME MINISTER. Well, we don't understand it in Rhodesia. I find it very difficult to make any intelligent comment because the whole thing seems to me to be quite unintelligible why it is that we, who have always been part of the free world, the western world, we've stood by them, we've fought with them in two world wars and we've never asked for any-

thing in return. We have been able to finance ourselves. We've given men and money. We are still in the western world, and yet today it seems as though the western world is attacking us even more than the traditional enemy. As far as we are concerned we believe that international Communism is the enemy of the free world. The world is divided into two camps, and we are proud to claim that we are holding one of the major parts of the line on the African continent against the advancement of international Communism.

And we say to our friends in the free world: We don't want you to give us men. We don't want you to give us machines or money. We'll hold the line. Will you sell us some of your equipment, which, of course, we are unable to make yet in a young growing country like Rhodesia. And they say no, we won't even sell you any equipment. Well, how one can comprehend this sort of thing, get any sanity out of this state of affairs, is beyond my comprehension. Maybe my intelligence is lacking. I don't understand it.

MR. COTTEN. Prime Minister, you certainly are not lacking in intelligence. It's our deep involvement with the international bodies such as the United Nations. Those who conspire to have one world government, one world court, one world bank, will never rest. You are indeed a threat to the peace they envision, wherein they will have a one world Police State. And I thank God, most seriously, that Rhodesia does stand and I feel, even as I watch my own nation falter through its loose fiscal policies, and its now relatively pure mobocracy where our government must be elected by the mobs, I pray that you will stand tall and be that beacon light of sanity in the days ahead. Could you comment on the United Nations if you please, recognizing, as we do that the African vote there, each emergent nation cancels out our vote as a western civilized nation.

PRIME MINISTER. Well, I don't want to be too offensive and critical, but the United Nations makes even less sense to me than what is happening in the rest of the free world. They are supposed to be a body dedicated to maintaining peace in the world. Fair play. A body which would take the side of the under dog against the big chap. But it seems to be quite the reverse, when one sees for example what happened in countries like Czechoslovakia, and before that, Austria, when the great Russian war machine went into there. They hardly raised a finger, hardly one breath of protest came from the United Nations. And yet in return when we see what has happened to a small country like Rhodesia, simply because we want to be left alone to solve our own affairs. And there are many other examples. Look at the question of the conflict in the Middle East, with Israel on the one side and Arab nations on the other. The Communists go in there. They make no bones about it and I think this is why they are winning today, because they are positive and decisive. Whereas the free world seems to wish to sit on the fence in between hoping that they may in the end land in the right place, but inevitably they land in the wrong place.

I can assure you we've made up our minds. We may be wrong and we may go down, but if we go down we'll go down fighting. We are not going to go down on our knees. This is a free country, where we have decided to maintain standards. We don't like the welfare state. We believe in private enterprise and there are opportunities here for people who come here, who believe in the initiative of the individual and private enterprise. Every person who comes here can potentially one day become a great man. He has the same chance as anyone else, and we don't want the welfare state to handicap the initiative of the individual. This is Rhodesia.

MR. COTTEN. The individual American, the silent majority we speak of, would more than

agree. Prime Minister I believe we have run out of time. I thank you for this courtesy. I do believe you are going to stand tall, endure, and be it God's will, one day I'll be part of your community. Thank you again.

PRIME MINISTER. Thank you very much.

MR. P. K. VAN DER BYL, MINISTER OF INFORMATION, IMMIGRATION, AND TOURISM

Mr. COTTEN. Today I am speaking to you from the offices of the Minister of Information who also serves in the capacity as Minister from the offices of the Minister of Immigration and Minister of Tourism. We have a very important gentleman, Mr. P. K. van der Byl, who has very kindly offered to share these few minutes with you so you would have some understanding of his Ministry.

Mr. van der Byl, before I start, I would like to compliment you on the manner in which you greeted the Friends of Rhodesian Independence, and the fact that you have had your Mr. Douglas Garner from the American desk to accompany us on our travels, and your excellent staff, including your Mr. Williams whom I've met. I'm certainly impressed. If this is the caliber of your Ministry, I know that we're in very good hands and certainly knowledgeable in affairs of America.

Mr. VAN DER BYL. Well, thank you very much. We have, I think, got very good people, and one of them is very well up to date in American affairs. I'm afraid, personally I'm rather behind in that I haven't been in America since 1948 when I was there and did a course at the Harvard Business School.

Mr. COTTEN. Mr. van der Byl, how can we draw upon your Ministry to help tell your story in our country?

Mr. VAN DER BYL. Well, we'd be very grateful if you would. We produce a large number of books and pamphlets and brochures, magazines, and films, etc., which give the background to mostly anything, but if there is ever any specific question which you would like to know about and publish the answer to, then of course, we'll always go into this in depth and in detail and give you the answer. Of course, as you probably know, we've also got an office in Washington, where one of my men, Mr. Hooper, is stationed and he can supply a good deal of this because he keeps supplies of our latest productions in his office.

Mr. COTTEN. He has done a splendid job. I have had the pleasure of meeting him on more than one occasion, and using one such film. I have seen the wonderful material you have. One brochure just issued today deals with the Chiefs in the Senate. That is one that I'm certainly hoping to share with my people in America. The African Chiefs were so obviously gentlemen, well representing their people in your Senate. A specific question, if I may? How is it possible that despite sanctions, there is every evidence in your country of prosperity and plenty?

Mr. VAN DER BYL. Well, we've got a large number of friends in the world of which I flatter myself, you are one. These people support us and would hate to see Rhodesia fall to the Communists or to encourage or foster Communism in this country. And this is a very real danger. You know the Chinese are moving into Africa to the north of us and are a threat toward us. We are extremely rich from a mineral and agricultural point of view and we have been able, because of the tremendous amount of energy and enterprise and initiative which our assumption of independence release here, which frankly, is at a level which no one ever expected really existed, that we've been able to switch to manufacturing a large number of things ourselves which formerly were imported. The number of new manufacturing corporations which have been instituted since our assumption of independence five years ago is probably in the region of four or five hundred.

Mr. COTTEN. I have been very impressed with this. You can't pick up a candy bar or any article without seeing "manufactured in Rhodesia". I have found paper mills as I traveled about your country, and so on. Surely, the sanctions have resulted in your becoming a very very independent and self-contained people, and obviously, as I drive down the streets and see the cars, you know, in America, we picture you not having gasoline, for instance, you virtually have traffic jams going outside of your key cities. The cars—I think you even manufacture or assemble some of the cars here, do you not?

Mr. VAN DER BYL. Yes, yes. We assemble them quite extensively—and as you can hear from the traffic at the moment, there really isn't any shortage of petrol.

Mr. COTTEN. We have to laugh at the sanctions, and must realize they have strengthened you. At the same time we are embarrassed by your government's role in this matter. Could you tell me, are there any specific steps that we should take to help Rhodesia? You are well aware of the steps our government has taken and well aware that they are answerable in measure to world opinion manifest in the United Nations. What as deeply concerned individuals, do you feel we can do?

Mr. VAN DER BYL. I think if every citizen of America realized that we in this country are the natural allies of America, that here in the southern part of Africa we're fighting, on a smaller scale, exactly the same type of war that you are fighting in Vietnam, and we would give you every support possible, if you were prepared to accept it. Now, of course, the initiators of the war in Vietnam, which of course are the Chinese Communists, are the very people who cause us to have terrorist incursions into this country from time to time. We put them down without much difficulty because they are far from their bases.

You, of course, in America have a much greater difficulty because you are fighting close to their bases and the task is very much harder. It seems to me the most absurd situation that where you've got a naturally friendly country and a friendly people such as we are, and where American interests own some of the best chrome mines in the world, that instead of buying your own chrome from Rhodesia at a reasonable price, America, or rather the policy of the American government, is that chrome should be bought instead from Russia because of the sanctions that are being leveled against Rhodesia. Russia is obviously not a friendly country to the United States of America, and chrome is an essential strategic material. Surely it is unwise, to say the least, to put yourselves in a position where you are reliant for a strategic and essential material which you now get from a country inimical to the American interest as opposed to America's own production in a country which is entirely friendly and well disposed towards America and asks nothing more than the banning of sanctions.

Mr. COTTEN. You express that wonderfully, Mr. Minister. Our people generally are now aware of this chrome situation. We did concentrate on it—Senator Strom Thurmond, Congressman John Rarick, Congressman Utt, many of the men in our government deeply concerned about this specific matter of "building bridges," so-called, to the Soviet at the very time that we deliberately turned our backs on our own industry within your nation. It is incomprehensible—the man in the street understands this, but of course, we may change administrations, but the policies seem to continue endlessly. We will make this point when we return, and we can strengthen our position by making it abundantly clear that you are in no manner an illegal regime nor a police state. Of course, those are the liberal phrases for you people in our controlled press.

Mr. VAN DER BYL. Well, I'd like to answer that because you are entirely correct in everything you say. I mean we are no more an illegal government than that of the United States of America. Our recent history is a repetition of what your country did two hundred years ago under George Washington and there really is substantially no difference whatsoever. With regard to the other point of being a police state, and this is of course the most absurd allegation that is made against us, in the whole of Rhodesia, there are 1,450 white policemen and 3,000 black policemen. In other words, 4,500 is the total police force of the entire country including those in entirely administrative positions dealing with the paper work and filing in the offices. To suggest that this is a police state frankly amuses us and we find very funny, if it wasn't so absurd.

Mr. COTTEN. I've had the opportunity today in an interview with your Minister of Law and Order to point out that that we now have a murder in our nation's capital—every 30 hours according to recent statistics. He pointed out that in the entire nation of Rhodesia and for the entire year the figure was substantially under 200. You are simply not a lawless people. I don't believe I've seen any evidence of arms on the police. I do see your people stopped by the traffic and the Africans handle it. I see no racial tensions—absolutely no evidence of it.

Mr. VAN DER BYL. You are entirely right. Our police are not armed except when they are actually engaged in fighting the terrorist bandits who come over from the north after they have been trained in Russia or China.

Mr. COTTEN. Mr. Minister, having seen this much of your country, I'm wonderfully impressed. I've seen your eastern highlands, and just came from the wonderful Victoria Falls, which I assure you could not be overacted. It is simply stupendous. How has tourism been affected? I know this is under your ministry, and I'm interested in helping to whatever degree I can.

Mr. VAN DER BYL. Well, this is a difficult question to answer. You can answer it both yes and no, because the fact of the matter is that our tourist inflow is rising at the rate of 10 to 11% per annum, which is extremely good, I think you will agree, and the position is that we are pushing on as hard as we can with development of amenities and things of that sort simply because at the moment we are tending to get as many tourists as we can cope with, but we want it to increase. I'm glad to say that a lot of visitors come from America and we're always delighted to see them, and the impression I have as I met a large number of them is that they get on very well here. They find no difficulty in getting on with the local population and they, generally speaking, enjoy themselves and get real value for their money. It is not our policy here, in fact, I'm entirely against any suggestion that the tourist industry should follow a policy which unfortunately is the case in some countries of trying to fleece American tourists. We want our American visitors to get the best value for their money in the world, and I think, by and large, this is what happens. Of course, tourism has been helped by the fact that we've been in the news, and I think particularly among American people, they see the point of view that by coming here they can in a way see their own history being repeated again in microcosm, and this naturally has an attraction apart from our normal tourist amenities.

But in other ways, of course, sanctions and all the rest of it has had an effect on slowing down this rate of increase which might well have been much higher. As you know, only two international air lines fly in here as a result of the United Nations sanctions. Incidentally, it is worthwhile knowing,

particularly for people in America, that we have in Salsbury the longest runway in the Southern Hemisphere. In other words we can take the jumbo jets and have masses of room to spare. There would be no difficulty at all if Pan American or TWA, or any other line, were to fly in here with the new jumbo jets, we can cope with it and we would be delighted to see them and we would be delighted to see hundreds—thousands—more Americans come here, because we find them the most agreeable and delightful visitors to entertain.

Mr. COTTEN. Mr. Minister, many Americans speak broadly, as they find big brother government closing in on them, of migrating to Rhodesia. Could you suggest a specific step that is necessary to take were they to entertain this concept?

Mr. VAN DER BYL. Well, there are a number of steps. One of the best is to come out and have a look, and if having had a look and liked what you've seen, then there is nothing whatsoever to prevent you coming out and living here. Now where people have particular skills which we need in the national interest, in industry, or in scientific fields, and things of that sort, and many of the professions as well, we do have a scheme by which we assist in the cost of the passages from the country of origin to here. Now were it to be someone that is urgently needed in a particular type of job, then we bring him out and his family straight away. But when that's not the case, and the man, shall we say, comes out in his own, settles down, finds a job, and we of course, do everything we can to help him in conjunction with other ministries and with the private enterprise; and let us say he has found a job and settled down and decided he wants to bring his family out to join him, then we assist in the passages of the family as well.

But every sort of information as regards job opportunities, investment opportunities, and that sort of thing, can be obtained directly from the office in Washington, or by direct communication with the Ministry here where any query is dealt with as expeditiously and promptly as possible, and if again, there is some particular, complicated question we will answer it both in detail and in depth, as I said earlier on. We will do all we can to assist American people coming out and living here. We're delighted to welcome them.

Mr. COTTEN. With the broad development that goes on in Rhodesia, the fact that you are both agricultural and mining and goodness knows what, and rapidly expanding, there is virtually no field but what a man could relate. Is that correct?

Mr. VAN DER BYL. Yes, I'd say, by and large, that's absolutely correct. But of course, there could be certain highly technical people, such as nuclear physicists, for instance, or people who are experts such as in the space age, and say traveling to the moon, well, we have not quite got to that stage yet, but sir, anything short of that, there is certainly opportunity here.

Mr. COTTEN. Now might I ask as to the professional fields, are there many instances or any instances, where they are barred by virtue of qualifications, acceptance, and that type of thing?

Mr. VAN DER BYL. No, and what is accepted as proper qualifications in America would be accepted without question here—university degrees or trades union apprenticeship diplomas, or whatever they are, are absolutely acceptable here. There would be no difficulty whatsoever. As you know, we speak the same language, which makes it easier still. In fact, it would be a little easier than it is for some of our other immigrants from other countries who have initially a certain amount of difficulty well known to America because so much of your population has come from Central Europe in the past. But they pick it up quite easily and in time the difficulties

disappear, but from the point of view of the American, he has no difficulty whatsoever.

Mr. COTTEN. I think an important point we might make at this point, Mr. Minister, and it was news to me to recognize the extent. I interviewed a Carlo Gardini, an Italian immigrant in the building trades here whose family now builds many of your beautiful buildings. For every European employee, they hire approximately 19 Africans. In other words, it is because they came here that there is work for the Africans, instead of any concept of putting them out of business.

Mr. VAN DER BYL. That's absolutely correct. The greater number of European immigrants who come here, the more job opportunities immediately become available for the Africans. Now this, of course, is not simply in the realm of servants, and cooks, and things of that sort, but in the skilled and semi-skilled jobs as well, which is desperately necessary to build up the opportunity of economic advancement for the African population. This is one of the reasons why the European or white immigration is absolutely essential. We need the skills, professional and technical, to enable us to expand the economy so as to bring the African into the realm of proper economic opportunity.

Mr. COTTEN. Well, you're doing a splendid job in it. I was thrilled as an exjourneyman carpenter to see these men building a building. Your building standards are very high. Where we would have partitioned walls, you have solid walls of brick, your plumbing fixtures are good, your doors of hardwood, even solid, as opposed to our hollow core, and so on, really putting up a splendid building, and I would have to hunt to find a single European. Could you say that sanctions have really proven a blessing in disguise for your country?

Mr. VAN DER BYL. I would say yes. You see what we've had here is a position created deliberately by sanctions where we had to live entirely within our means. In other words, everything we buy has to be paid for by cash which we have to earn in terms of foreign currency by export. Now obviously, with sanctions being brought to bear on us, exports of certain commodities have been inhibited, and therefore there has been a certain shortage of foreign currency, with the result that we have been in the same situation as other countries which have created artificial tariff barriers in order to encourage the development of secondary industry. Now this has happened, and several hundred new manufacturing corporations making everything from the assembly of motor cars, right down to things such as pencils, jam, marmalade, and literally anything that you like to think of. It has given a most tremendous boost and boom to manufacturing, and as a result, the employment which has been generated in this way, has caused ripple effects into things such as housing, which we mentioned, and every kind of service. We have certain difficulties, and this is without the slightest doubt whatsoever, but by and large, it has, as I said before, released the most fantastic energy and enterprise—more so than we ever realized existed here, and more than anything, this has welded the country into a solid unified nation.

Mr. COTTEN. Mr. Minister, you made that point, made it well, and I think we should amplify it to this extent. It not only made Rhodesia one people, but that does not mean one European people and separately, one African people. You are truly one people, and it's quite remarkable to watch it operate. Your comments, if you would, on the unity of Rhodesians, black and white alike.

Mr. VAN DER BYL. Yes, but I'm often asked this question. You appreciate that it's very long and a very complicated one, but I'll try and answer it as quickly and succinctly as possible. The fact is that there are two separate cultural peoples here—the African

with his own culture, his custom, and his way of life which we do not attempt to destroy. We respect it and regard it in the friendliest possible way, and he has the similar regard for our own European way of life and custom which is very similar to that of yours in the United States of America; but there is also a common feeling of unity and loyalty to this country, Rhodesia, which shows itself in tremendous racial cooperation and friendship between the two races inside, and united and aggressive hostility to the enemy from without. Now this is very easily proven by the fact that we've had these terrorist incursions inspired and organized by the communists, and almost every single time that this has happened, it has been the local, rural African population who have warned the security forces, which incidentally are both black and white too, that incursion was taking place, and within the matter of hours, we're on to it and our troops go in and clean it up. It would have been impossible to do this unless we had a total unity and feeling of solidarity between both the races as regards any external threat. It has always been the local African population who have not only warned us, but very often actually take part in the fight themselves. One or two, unfortunately have lost their lives. But the most interesting thing of all was recently one lone terrorist left from an incursion of a long time ago was captured and brought to the proper local authorities by a schoolmaster—an African schoolmaster—and a large group of his African school children overpowered this terrorist and brought him to justice. Well, if that doesn't prove my point, nothing does.

Mr. COTTEN. Mr. Minister, it certainly should. In my own viewpoint, as I've watched subversive forces bring the world to the brink of destruction, seemingly bent upon a concept of one race, which of course, would be to me, in my terms, a mongrelized race, one nation which would be anti-God in its thinking, and one bank which seems to be the financial matter behind the thing, I see my own nation taking what to me are very serious steps toward a collectivist society. I've come here and I've found you turning more and more responsibilities back to the township. I compare the housing I found for the Africans in the townships, and find that's a local matter and they do pay for it. This is not simply public housing as we would have in the United States. Truly, I see you embarked on a program that I think makes sense, and shows your common sense, your dedication. Do you, indeed feel that you are at a crossroads in history, and if you do, and I'm speaking globally now—can you envision the future for Rhodesia, with all these mighty matters at stake?

Mr. VAN DER BYL. Yes, I think you're absolutely right. We're at the crossroads, and in a way it's a watershed, because I believe that though there may be certain modifications that we will have struck the correct answer to the problems of a dual racial society in one country. Nobody is victimized, nobody is treated as inferior to anybody else, but differences are recognized and respected on both sides. Now, of course, at the most primitive end in the tribal areas, there is a sort of communal attitude to life, and this is inherent in the African village life, and that sort of thing, but when he evolves out of that, which he does as he wants, at his own pace, (he's not forced to do anything), it is into a milieu of free enterprise that he moves, cause we are a country though we have social services in that no one is allowed to starve, or die, or suffer, because they can't afford medical attention; this is provided, when it's necessary. Nonetheless, we're a free enterprise economy and initiative and energy and enterprise are rewarded by the success which is inherent in a free enterprise economy, which is precisely what you've had in America, in the past, at any rate.

Mr. COTTEN. We did have it at one time. I have seen the evidence of this when the people from the tribal areas come to the city, they must find employment, and they must be able to pay rent. I went to one community last night with 65,000 in residence. I saw no evidence of police, no evidence of breakage, I saw well-tended places, I saw a beer garden where I believe 3,000 drink beer at one time, and no evidence or any mishandling, mistreatment, hatred, etc. But these people, in turn, had to take their place in terms of the economic structure of the community. Is that correct?

Mr. VAN DER BYL. Oh yes, they have. You see it's a tremendously rich country. There is an enormous potential and an enormous future. We haven't really, in spite of the evidence you see of prosperity and buildings and mining production and agricultural production, all the rest, we haven't yet really scratched the potential of this country. We're in the position here that America was in the 1870's, a hundred years ago, is probably analogous to what we're in now, and I don't need to tell you what's happened since then in the way of the tremendous expansion and opportunity in the United States of America. This is the position that we're in, so if anyone wants to get in on the ground floor, and they wished that they lived in the 1870's because of the opportunities that existed in America then, why I can't tell them is in existence here in Rhodesia right now.

Mr. COTTEN. Mr. Minister, I thank you for this interview and hope I can be instrumental in interesting Americans in migrating to your country. I do believe one of my sons is going to come to your country very soon with a view to making it his home. I would like to have grandchildren born in your nation.

Mr. VAN DER BYL. Well, we'll be delighted to have them.

MR. J. H. HOWMAN, MINISTER OF DEFENSE AND FOREIGN AFFAIRS

Mr. COTTEN. Today's interview is with the Minister of Foreign Affairs and Defense, a mighty impressive responsibility. It would be equivalent in our country to both the Secretary of Defense, and the Secretary of State. This is a Mr. John Howman who quite obviously would rather be called Jack. Am I correct?

Mr. HOWMAN. Commonly called Jack Howman.

Mr. COTTEN. All right. Well, thank you. Could you tell us something of your own background as a Rhodesian?

Mr. HOWMAN. Well, I was born and bred here, Mr. Cotten. My father came up in the days of the pioneers. You know, this country was opened up much like the Western side of the United States—the great booming, clearing out of the buffalo, the spreading waves to the west. This country was occupied in much the same form. This was in 1890. He came up in 1896, and we have lived here ever since. I've been born and bred here, my wife has, and my children, they have too.

Mr. COTTEN. Well, that's a wonderful background of history. I guess some people from the great trek are still living. Is that correct?

Mr. HOWMAN. They're mostly dying out now. There are still a few—still a few old timers that knew the very beginnings, but they were small children then, of course.

Mr. COTTEN. Yes, they would have been.

Mr. HOWMAN. When you think of it, that it's only about 80 years ago now that the first white man really began to settle in and occupy Rhodesia, and this is why we're rather proud of what we've done in a little over 80 years.

Mr. COTTEN. You've done a miracle, and the fact that you even exist now, with world opinion fighting you as it is, and I might say so unfairly. As the Minister of Defense,

I'm particularly interested, and I think our people would be, I don't mean military secrets, but I've seen your army, you have both the Africans and the Europeans, and would you tell us a bit of what you do in terms of subversive forces, the size of the encounter, and that sort of thing.

Mr. HOWMAN. I don't think I had better mention sizes of forces. Otherwise, I would be in serious trouble. But we have a very compact, very effective defense forces. We talk of defense, because we have no extra-territorial ambitions. We are not a threat to anybody at all. Our forces are balanced purely to defend Rhodesia. They consist of an army and an air force, small in size, compact in size, very effective for the operations that they have to face, which of course, are in support of the civil power, that is to say the police are the first order of law, and maintenance of law and order throughout the country, and we operate in support of the police. You are thinking, of course, of the terrorist incursions that we've had in the last few years. These have come across our borders. We've effectively met and overcome every incursion that has entered into Rhodesia, and I've no doubt of our capacity to meet any similar threat in the future. We have built up an army that is, I think I can say—I hope I'm not sounding boastful—second to none in how to meet, and how to operate in bush country, that is to say, in really unoccupied hard terrain, second to none in the capacity to live in the bush, to fight in the bush, and to survive in the bush. And our air force, of course, plays a tremendously important part, too, in cooperation with the army. There is a great sense of camaraderie and a sense of mission amongst all our forces, and of course, this is the strength of Rhodesia. Then allied and behind the regular forces, which I say are small, but efficient, is the whole of the defense, the territorial defense forces of all Rhodesia. That's to say all the young men, anybody over the age of 18 is liable to serve, called up for service, and he does nine months training initially. He does three months of that in learning the very basis of military training. He then does the remainder of his service patrolling, protecting the borders with army. So that every young man in Rhodesia plays a full part in the defense of Rhodesia. And of course, we have enormous advantage from this. There's no problems with the young people of Rhodesia. There is a sense of purpose, a sense of association with what we are, the whole country a sense of unity, a sense of purpose, a sense of mission. And this runs right through our young people in these days when the world seems to be in a state of anarchy and a state of confusion where the young folks in many parts of the world don't know where they are or what they are doing, or what they belong to. This we don't have.

Mr. COTTEN. Now, I've noticed that you have both the Africans and the European forces working in perfect harmony with one another, and I believe you have some great traditions in Rhodesia of that harmony and effectiveness. I believe you fought some of our battles for us in World War II, if I'm correct.

Mr. HOWMAN. Yes, indeed. In fact, it's a strange anomaly that Rhodesians played not an insignificant part in putting Emperor Haile Selassie back as Emperor of Ethiopia. We were there at the time, and we were greatly welcomed and nowadays, it seems a little bit unfortunate that we should be condemned from those sources. I personally was up at Abyssinia, as it used to be called, and we were in Burma, too, and I had quite a close association with some of your American forces there. You remember General Vinegar Joe?

Mr. COTTEN. Very well.

Mr. HOWMAN. Well, he came down the Irra-

waddy and I was amongst the African forces from here. A lot of our people served in East Africa. A lot of Rhodesians like myself helped to officer the King's African Rifles, the African regiments up there, and I served in Burma at the time, and it was there when eventually we crossed into Burma which led to the defeat of Japan.

Mr. COTTEN. What an incredible situation we find ourselves in. May I pose a question, and your comments, you are not only Minister of Defense, but also Minister of Foreign Affairs. You do find terrorists coming in, they do have weapons which are communist weapons, clearly.

Mr. HOWMAN. Yes. All Communist weapons.

Mr. COTTEN. The same weapons we are finding in the terrorists of the Viet Cong.

Mr. HOWMAN. Yes.

Mr. COTTEN. Our boys die at the hands of the same force that your boys would die at if your terrorists were successful, and yet, in the matter of trade, we cut off trade with you, will not buy your chrome, which we need, incidentally, which is owned by American firms, as I understand, and yet we will trade with the Soviets. Now this to me is insanity. I assume it is to you, but your comments, if you would please.

Mr. HOWMAN. To me it is tremendously tragic situation that this should be. You are quite right in saying the arms of Viet Cong—these arms the very latest that we find are the same ones that your lads meet in Vietnam, and incidentally, a number of Rhodesians have died with these weapons. We haven't escaped unscathed in any of these operations, but this is the price we pay for the defense of our country. But it is to me a tragic situation that we, as we believe firmly a Western Christian civilization, should find ourselves at odds with your great country. We have much more to contribute to the world than bickering between your country and my country. We have a great civilizing mission to perform in Africa as a whole, and the thought that we are fighting people with the same weapons that your own lads are fighting, and yet we're at odds behind their backs, is a tragic one that I think is most unfortunate.

Mr. COTTEN. Mr. Minister, the grass roots people in America who have looked into this at all of course share that feeling. Unfortunately, thus far we have been a silent so-called majority, although because of these interviews and their outreach we'll hope to correct that situation. A lot of this is news to me. I expected to find you people rationed, as we were in war time. After all, you have sanctions, the civilized world has cut you off from trade, etc., etc. Now, you as Minister of Foreign Affairs, I assume it is part of your responsibility to endeavor to maintain relationships with other governments. I see nothing but a land of plenty. I see streets full of cars, shops full of merchandise, and I can't help but think that sanctions have strengthened you as a nation.

Mr. HOWMAN. This is perfectly true. Of course, it mustn't be forgotten that Rhodesia has run herself as an independent country really from the time of our very creation, way back 80 years ago. We started, as you probably know, under a commercial company rather like the Hudson Bay Company that was the predecessor of the Dominion of Canada. We started in the same fashion, and we've been self-governing since 1923, so we've run our affairs, run our own business, as it were, without hindrance from any other country. So there is no question about capacity to continue to govern and to have a lively and happy country. You are quite right in saying that you see no shortages. We have our problems, of course. There's obviously these impediments in our trade and the antagonism shown towards us from the many countries in the world. All these don't help, but the fact remains that we have a great

many more friends in the world, even nations, than they like to admit. There are a great number of countries in the world, that have the utmost good will for us, not merely the plain man that you referred to a moment ago, but governments, too. And we maintain links. We're not alone. We're not without friends, and these I think are building all the time. We're getting stronger and better as we go.

Mr. COTTEN. Mr. Minister, I see every evidence of a building boom—high rise buildings, beautifully done, and I point with pride to the fact that for one European you appear to hire approximately 19 Africans in the building of the buildings. Could you comment—I believe it's obvious, but we might repeat it—that the sanctions designed to hurt the European have actually acted to hurt the African because you can't employ him if you don't have the materials to expand your economy.

Mr. HOWMAN. This is so, I think perhaps the greatest single example of how the African is hurt in the imposition of sanction was in our tobacco industry. As you know, we produce some of the finest tobacco in the world and the most competent industry. Of course, a great amount of that tobacco is bought by Britain. Now that, of course, was cut off by the British, and has never been replaced. Now a tremendous amount of the labor counted in the production of tobacco is of the African people, and naturally with this cutback in the growing of tobacco is directly affecting the employment of those African people, and they have suffered. Again the limitations of our growth, and it hasn't been as spectacular as we would like it to be. It still has been spectacular, but still not its full potential. This has not created the job potential—the job opportunities that it should and, of course, the African people form a tremendous part of the labor, so they suffer where there is not the job opportunity. So really it is true to say that it is the African who has suffered more than the European. That's no cause for satisfaction to us, I may say, because of course the greater the employment opportunities that you have for our Africans, the greater their happiness as well. They resent sanctions as much as anybody.

Mr. COTTEN. Would you care to send any personal message to the American people?

Mr. HOWMAN. Well, I simply hope that you will continue to extend the same good will towards us as the ordinary American people have done in the past, and I hope we will be able to continue to supply you with the things that you want. You mentioned chrome. We've got it, you want it, I don't see why anybody should try to impede it.

Mr. COTTEN. Maybe we can make this a major point in the platform of the men who run for election this fall, because surely, who would want to elect a Congressman who couldn't understand a situation as simple as this. Thank you again, Mr. Minister.

MR. D. W. LARDNER-BURKE, MINISTER OF LAW AND ORDER

Mr. COTTEN. Today I have the opportunity to interview the Minister of Law and Order, Mr. Lardner-Burke. Many of you did share in many of the findings of Congressman John Rarick, when he was here in Rhodesia. This is the same gentleman who has some relationship to the terrorists. He will speak on that in just a minute. I should think that we might start the interview, Mr. Lardner-Burke, by commenting that in my capital in the United States of America, where police are armed, although frequently not permitted to use their arms intelligently, we are now at the point where we have a murder every 30 hours. Our crime rate, of course, is greatly accelerating. Here I have not even seen the evidence of arms among the police. Would you speak for a few minutes, if you would please, on crime condi-

tions in Rhodesia, where I believe you are outnumbered 16 to one African to European.

Mr. LARDNER-BURKE. That is perfectly true, but the relationship between the Europeans and the Africans is good. You were talking about murder, well last year, we had for the whole of Rhodesia, that is for over five million population, a total number of murders of 176 during the whole year. As far as the crime is concerned, I can assure you that over the last three years, there has been a drop in crime of an average of 15%. As far as assaults are concerned, that has gone down 28%, and the amount of cases that were reported last year as compared with 1968, has dropped, I think, by 15%, indicating that the population are perfectly happy with the way we are living, and are pleased with government that has been able to bring back tranquility into their lives and to allow them to sleep well at night, which they couldn't do during the initial start of the terrorism when we had the local upsets as far as the nationalists were concerned.

Mr. COTTEN. Mr. Burke, yesterday I had the opportunity to visit some of your townships in and around Salisbury. I saw one community, I believe, with as many as 65,000 Africans. I also saw the beer garden and gather that is a very important function in their activities, and yet I saw no evidence of police, no evidence of breakage, or disorder. I saw a gentle people, seemingly completely in harmony with the European community. This is so obviously inconsistent with what we have in America, where the hatred between races has been generated. Could you comment upon how this has come about, please.

Mr. LARDNER-BURKE. Yes, Mr. Cotten. If I go back to around about 1963-64, when we had quite a lot of internal trouble here when the national factions were arguing amongst themselves, one never saw a sporting fixture because the nationalists used to intimidate these Africans and make them go to a nearby field, for instance, to have a political meeting, and this would end up in riots, etc. Today, with having established law and order in the country, by firm but just means, we now find that we have international soccer teams. For instance, Clyde and another Scottish team have visited Rhodesia. They have played soccer right through the country, and in Salisbury, we have an enormous stadium, which holds about 20 to 30 thousand people, and again there we will see it packed and 90% of them will be Africans, 10% will be European. The team is a combination of Africans and Europeans, and we have a wonderful spirit of sportsmanship. We don't have any police around. They are completely happy, and after the game, we don't even have any fighting. They go home quietly. We also found that by being able to control these terrorists, people were frightened to go home at night because of being assaulted. They were also frightened to leave their homes because their families would be assaulted. Today they go home every night, enjoy their home life, they can go to the beer gardens, they can go to entertainment, and they have no fear whatsoever of being intimidated, or of being assaulted. And this has come about as a result of government's action, but in my opinion, because of the cooperation of the African population of this country who wish to live in peace. They have nothing against the European, the average African, and know they must live with the European to have a happy country. This is what has been brought about by the actions taken by the Rhodesian government.

Mr. COTTEN. Mr. Lardner-Burke, I would like to point out that in our nation's capital now, where rape is rampant, the situation exists as this. The victim would still be on the way to the hospital, when and if the culprit were apprehended by the police, he would be released under the Bail Reform Act.

This is the principle that says you are innocent until proven guilty. He does not have money for his own bail or a lawyer, so by Act of Congress, if you please, he is immediately released. He is free on bail until tried, and his trial, because of the crowded conditions in the court, might well be two or three years away. This means he returns to rape and pillage. We naturally, as citizens, don't like it. We think in terms of constitutional processes. We realize somehow we are victims. Now I do know that your government has come under criticism relative to detention. I wonder if you would share with us your concept of why detention, and how it does relate to keeping the peace.

Mr. LARDNER-BURKE. Well, I think I had better start first of all on your question of the bail. We originally had exactly the same concept as you, and we still have that concept of an individual is innocent until he is proven guilty, but we found that, like you have mentioned here, when he is given bail, the individual was perpetrating similar criminal acts after he had been let out. So it is now entirely to the discretion of the magistrate or the high court as to whether bail is given, and a certificate by our attorney general, can influence the position. If we feel that there is a likelihood of again perpetrating such a criminal action, we oppose bail, and the courts will agree with us, but this doesn't mean that they are put into prison. They are what they call remand prisoners who have privileges. They are not prisoners, and they are just held there for the benefit or for the security of the other population. Now, this is on the ordinary crime, but as far as the detention is concerned, that is an entirely different point of view. Detention is being put away, to take out of circulation these agitators, these intimidators, these subversionists which we have been putting up, who cause the riots and cause the murders and the rapes, and the arsons, and where given example of what action we take in this nature. I can give you a case of two who were accused of petrol bombing, and other bombing of certain premises. They had admitted that they had done it to the police, but when they were brought to court, and we always try to bring cases to court as soon as possible, because there was a technicality, a legal technicality, the courts found them not guilty. But they had admitted having done it, so therefore I, as the Minister of Law and Order, felt that I could not allow these people to be free on the public because the same things would have happened, and if anybody had been killed, I personally would be morally responsible for his death, and as a result I detained them. And this other one where we have people who are helping the terrorists who are coming out here, backed by Communist countries, by the OAU, and by the Chinese, where they come over fully armed with communists weapons, very sophisticated weapons, we do find that some of the tribesmen help them, harbor them, and that sort of thing. Well, in that case, we do detain them because of the threat to the law-abiding people, and I feel that this is not against justice. They are only there for a temporary manner. I can give you an example at one stage when the trouble was really rough, I think we had 600-odd people in detention. Today, the count is, I think 102, and I can assure you that within the next two or three months, I have papers before me to release another 60, so that by the end of the year, I should say that we would only have 40 or 50 in detention in respect of these actions.

Mr. COTTEN. I have just returned from the area around Victoria Falls, and I find, of course, that is patrolled because of the likelihood of the terrorists coming in from adjoining—what is it, Zambia?

Mr. LARDNER-BURKE. Zambia.

Mr. COTTEN. And I do find that your mil-

tary is composed in large measure of Africans, enormously loyal to Rhodesia, just a beautiful thing to see, disciplined and proud, and could you speak on that just a little bit, the composition of the forces that do maintain your borders.

Mr. LARDNER-BURKE. Well, you realize that this is not my portfolio. That is the Minister of Defense's but I know the position. We have police who are doing the patrolling there, supported by the army, which consists of Europeans and Africans, most loyal individuals and most highly trained individuals. The Africans themselves are magnificent soldiers, and they have been in action against these terrorists on various occasions, and they have equipped themselves very well indeed, and have shown exactly what good soldiers they are, and how loyal they are to the country. We support the African troops. They are called the Rhodesian African Rifles, and these people are well trained and actually now unless you are a relation, it is difficult to get into the army. They are so keen to get in there, but we are able to pick and choose to the numbers we are able to keep in uniform.

Mr. COTTEN. You make an excellent point. Will you help my people picture your nation which is relatively large and you have three large cities, I believe, and under that various townships, and so on. How does your force of law and order relate to the town, the city, and the nation as a whole?

Mr. LARDNER-BURKE. Well, we have only one police force. That is a Rhodesian Police Force. It's called the British South Africa Police from the traditional days when the Charter Company took over Rhodesia before the turn of the century, and this name has stuck. Now these are composed of Africans and Europeans, and these people work as one force. They go into the areas. They are allowed in either area—there is no question of the African only going into the African areas and the European into the European. They are allowed in both and they maintain the law and order. I'd love your people to see on every week day when going to work, motor cars are stopped by African policemen to allow school children to pass across the road, so that they can get from the one side to their schools. Everybody obeys them, they take our African policeman as the instrument of maintaining law and order, and they obey their instructions, and I think if your people could see this, I'm for certain they would be so pleasantly surprised and would have nothing against Rhodesia. They would support us to the hilt in our fight against the British.

Mr. COTTEN. I'm sure you know, Mr. Burke, that the average American—the so-called silent majority—given the facts, would conclude as you so obviously do. I have been enormously impressed with everything I have seen in Rhodesia, traveling as I am with the Friends of Rhodesian Independence, a group of some 30. We have been feted beyond our wildest dreams, and I keep looking for any evidence of repression. I think we haven't seen it. Yesterday I had the opportunity to interview two of your African senators who were so impressed with some of the thoughts I shared with them—this is a vanity on my part—today they want me to meet all the African senators with a view of getting a message to our President. I asked them one question quite pointedly. Is there anyone among your people who would like the Europeans to leave, and they were most emphatic. There was no such thought at all. Is this the correct impression?

Mr. LARDNER-BURKE. This is completely correct. You will also see this from the point of view of the government's attitude, that when we as a government came in at the end of 1962, there had been an endeavor on the part of the previous government to play down the importance of the chiefs. But we realized that they are the traditional leaders

of their people, and that they should have the backing of the government to the full of everything that they do, and this we have set about to do, and that is the reason that we felt that when we communicated with the chiefs that they should be a portion of the government, and that is why our new constitution provides that in the Senate we have 10 chiefs who are appointed by the council of chiefs. In other words, they appoint themselves at no government direction, and these people sit with the 13 European members, and as far as I'm concerned, the experiment is going extremely well. We have only just started this under the new constitution, you realize. I had the honor to be able to appear before the Senate the day before yesterday to reply to certain debates that had taken place, and I was most impressed with the dignity of the Senate, and the capabilities of the Senator chiefs who have been appointed, and they realize that they are the leaders, and they lead in a most democratic manner. We being here, we have heard so many times as far as the British and their constitution for Rhodesia was concerned, of this one man one vote, because that is the only way you can have democracy, but the tribal people work in a much better type of democracy. They all come around the chiefs and talk, the elders, the heads, and when they have come to the conclusion, the majority vote carries, sway. Whether a man objects or not, if the majority accepts that, then that is the wish, and the chief will implement it. So this I think is democracy working much better than any of our Western alleged democracies of one man one vote.

Mr. COTTEN. Well, it certainly is a representative government which ours purportedly would be. We fight the word "democracy" a bit to distinguish from "republic" which we think of in terms of representative government. But surely here what you have done instead of having a mob action with everybody shouting and pressuring the President, as we are getting in America, you truly have representation which in turn is theirs to select. Is that correct?

Mr. LARDNER-BURKE. That is correct. But we have only been merely talking about the Senate for a moment, but in our House of Assembly, we have made provision for the African, that is the one who is on the voter's roll to return his eight members by ordinary democratic matters by voting on a voting paper, but as far as the tribal trust people are concerned we feel that they are not educated enough to appreciate this. So we have made it into an electoral college basis, whereby the districts are divided and the chiefs, the headmen, and the members of the African councils which operate in the district, then a citizen electoral college and send to the House of Assembly their representative for that African tribal district. So that we have in the House now eight Africans representing more or less the urban areas and we have eight representing the rural areas which are the tribal trust, which have far the biggest number of Africans in the country. They far outweigh the urban Africans, and as a result, we are not getting the African point of view put over in the assembly from the people who live in those conditions and know exactly what is wanted, and I think that this is a magnificent step forward, because otherwise the African was being represented by the people who could talk most and who could bluff the people most.

Mr. COTTEN. I believe it's working beautifully. I trust that the American people will realize the implication of this, recognizing that we have been told falsely about conditions in Rhodesia, and we in turn, will bring a little pressure on our representatives to try to get the sanctions lifted. It was very kind of you to grant the interview. I assure you that America, in our hearts, know that you are right, and the day will come when

these sanctions will be lifted, and we'll be restored to normal relationship with your wonderful government. Thank you again, Mr. Lardner-Burke.

MR. RICHARD FLOWDEN, UNDER SECRETARY—
MINISTER OF INTERNAL AFFAIRS

Mr. COTTEN. Today I have the opportunity of bringing a very important gentleman to you, Mr. Richard Flowden, rather a long title but it also describes a very important mission; he is the Under Secretary in charge of the Department responsible for the information from the Government of the African people and vice versa. On his shoulders rests an enormous responsibility.

Mr. Flowden, may I introduce you to the Conservative Viewpoint audience.

Mr. FLOWDEN. Thank you Richard Cotten, it's a great pleasure for me to have you here and like all Americans, we welcome you and in particular for yourself, and we know what you are doing for our country in America.

Mr. COTTEN. Thank you Mr. Flowden. I think we had better get right to it, time is going to go all too short. I have learned so much from you. I thought I knew something about your country before I got here and I learned that I was absolutely a babe in woods. The early administration of the African tribes and their land and all I am sure would interest our people greatly.

Mr. FLOWDEN. Well, as you know the country was occupied by the Pioneer Column which operated under the B.S.A. Company, the British South Africa Company, and the first administrators appointed by this Company were given a very few simple instructions, principally these were, to go out into what was then known as Rhodesia, explore it, discover where the African people were living, study their language and their customs and above all, protect them from being exploited by the worse type of White man that may come in later on into the country.

Now, this was the foundation of the whole administration of this country from that day to this, in that, once the people were located their territory and their land as well as their customs was protected and this has resulted in the fact that, the African living under his own system in his own areas has been protected under every Constitution under which we have lived in Rhodesia since those early days. The European or White man in this country has always come here to live and to stay and to raise his children and to develop the country, he has had to do this with his own resources knowing that his fellow Black Rhodesian has been protected in these customs and his way of life.

Now, the African in Rhodesia has always lived under a social system based on very strong family ties with the head of the family being the oldest male person living in it, normally speaking this would be the grandfather, but each of his sons are the heads of their own families.

Now, they live in villages large and small some consisting of many hundreds of people and others consisting of only a handful of people, but each village has its own freely elected village head to whom the families living in that village take their problems, if he is unable to solve these problems for them, he can then take the parties up to the next step of the ladder which is a Headman.

On April 28, 1970, the 26-man Council of Chiefs met in Seke Tribal Trust Land outside Salisbury to elect 10 of their number—five from Mashonaland and five from Matabeleland—to the Rhodesian Senate.

The 10 Chiefs chosen to go forward as Senators are all men of wide experience and ability, and several of them have travelled extensively overseas. They will undoubtedly make a valuable contribution to the affairs of state.

Chief Kayisa (54) is from Ntabazinduna Tribal Trust Land in the Bubi District. He

was made a chief in 1941 and appointed to the Council in 1960. He was a member of the Constitutional Council since 1961 and is chairman of Ntabazinduna African Council. He holds the Queen's Medal for Chiefs. Chief Kayisa has 11 children.

Chief Seke (49) is from Seke Tribal Trust Land in the Goromonzi District. He was appointed a chief in 1965 and appointed to the Council in 1968. He is Vice President of Seke African Council and has 10 children.

Chief Mafala (42) is from Runde Tribal Trust Land in the Shabani District. He was made a chief in 1959 and appointed to the Council in 1960. He went on the 1964 chiefs' tour to India, Pakistan and Britain. He has nine children.

Chief Sogwala (60) is from Lower Gwelo Tribal Trust Land in the Gwelo District. He was made a chief in 1956 and appointed to the Council in 1960. He was awarded the Queen's Medal during the Queen Mother's visit to Rhodesia in 1953. He has 12 children.

Chief Chirau (47) is from Zwimba Tribal Trust Land in the Sinoia District. He was made a chief in 1961 and appointed to the Council in 1968. He has 10 children.

Chief Mugabe (39), the youngest chief in the Senate, is from Victoria Tribal Trust Land in the Victoria District. He succeeded to the chieftainship in 1965 and was appointed to the Council in 1968. He was a member of the Tribal Trust Land Board until 1968 and was a member of the 1965 chiefs' tour in Europe and Britain. He has nine children.

Chief Mzimuni (60) is from Matshetshe Tribal Trust Land in the Gwanda District. He was made a chief in 1934 and appointed to the Council of Chiefs on its inception in 1960. He holds the Queens' Medal for Chiefs, the Coronation Medal, the Queen's Medal and the Bledisloe Medal for Land Husbandry. He is chairman of Matshetshe African Council.

Chief Mzimuni went on both the overseas tours by Rhodesian chiefs in 1964 and 1965. During the second World War his people raised money to contribute toward the cost of a Spitfire fighter aircraft for the Royal Air Force. In 1958 they gave 600 head of cattle to the new University College of Rhodesia and Nyasaland. He has four children.

Chief Mazungunye (53) is from Bikita Tribal Trust Land in the Bikita District. He was made a chief in 1965 and appointed to the Council in 1968. He has eleven children.

Chief Ngorima (43) is from Ngorima Tribal Trust Land in the Melsetter District. He succeeded to the chieftainship in 1956 and was appointed to the Council in 1960. He was a member of both chiefs' overseas tours. He has 15 children.

Chief Sigola (64) is from Umzingwane Tribal Trust Land in the Essexvale District. He was made a chief in 1945 and appointed to the Council in 1960. He was awarded the MBE in 1961 and also holds the Queen's Medal for Chiefs and the Bledisloe Medal.

Chief Spigola was a member of the Monckton Commission in 1960, the Whaley Commission in 1967-68 and is a former member of the Tribal Trust Land Board and the Natural Resources Board.

In 1965 he accompanied the Prime Minister, Mr. Ian Smith, to Britain to attend the funeral of Sir Winston Churchill. He has ten children.

It was through the efforts of the two Chiefs, Chief Sigola, and Chief Chirau, that your Editor had the opportunity to meet with these men, not once but on several occasions. As with one voice—and realize that they are truly "representative" of their people—they would ask why our nation would align itself with the evil forces that send the terrorists among them. They ask that our people come see for themselves, visit in the Tribal Trust Lands and see that they are a happy people, these African Rhodesians, and

that African and European alike, they believe in Rhodesia. They full well know that the sanctions have made it very difficult for the country to grow as it would have grown without the sanctions.

Your editor had an opportunity to tell these chiefs something of conditions in Washington, D.C. They cannot imagine rampant illegitimacy and lack of basic morality. They quite properly ask, in effect, "Is this the nation that would tell us how to run our country?"

Now, a Headman is a man whom we tended to ignore in this country until his existence was confirmed by a very wise and expert American gentleman who came here to carry out a survey at the request of our Government in the late 50's and early 60's, this was Doctor Jimmy Green who was a member of A.I.D. and he was asked to come out here and look into the social system of the administration of the African people. Going on beyond the Headman we have a system of Chiefs.

Now, the Chiefs in Rhodesia are selected by their people on a hereditary basis it is quite true, but also on a semi-democratic basis in that, the majority of the Chiefs stem from a system of Houses. These Houses are the royal families being the descendants on the male side of the original Chief of the tribe and as a Chief dies so the inheritance passes to the next House down the line. Sometimes it takes many years before the people themselves decide on who their next Chief should be. Normally speaking it is the oldest surviving member of that particular House who is appointed the Chief by the people. Once of course the people have appointed their chief all we do from the Government and the administration side, is to recognize the wishes of the people and we then deal with them through their own appointed leader who they have chosen. This, of course, is different to the British Colonial system of which I am quite conversant having come from Britain, and I have been over there on courses at Universities with British Colonial officials in the past. There the tendency was to select a good man particularly if he was an ex-Government official, make him Chief and put him in charge or over people who may not belong to his own family group or even his own tribe and this tended for very bad administration. Secondly, in Rhodesia we have always worked with the Chiefs and through the Chiefs we have not tried to set them up as a separate Government nor have we made them part of the Governmental democratic party political machine. The situation now is that the Chiefs in Rhodesia who number well over 250 are the true representatives of all the Rhodesian Black people of this country, even those living in the townships and urban complexes surrounding our cities, all acknowledge the Chief to be the head of their particular family and clan.

Now, these Chiefs themselves elect on a regional basis, members who form the 26 man Chief's Council which it is the body the Government advises and negotiates with on any change in the Constitution. Our recent Republican Constitution has entrenched the position of the Chiefs even further by acceding to their wishes and permitting the Chiefs' Council to elect 10 of their members to sit in the Senate, the Upper House of the new Republican Constitution which is a 23 person House. The present Senate which is the first in Rhodesia, consists of these 10 African Chiefs and 13 White people of which 10 have been elected, 2 of them are women, 8 men therefore and 2 women and 3 are appointed by the President of the country. So we now have the system where the Chiefs can take part as their proper truly democratically recognized leaders of the people in any deliberations concerning our country.

Now, I mentioned earlier Doctor Jimmy

Green. When he came to Rhodesia we asked him to look into our system of administration which at that time consisted in the Tribal Trust Lands, that part of the country I have already explained which was already occupied by the African people when we first came here and which have been enshrined in the Constitutions. We asked him to find out if we were going wrong in our human relations side in dealing with these people and he pinpointed various weaknesses in our system, the main weakness he discovered was that as a Government operating on a strict rigid central Government system working from the top downwards we were doing far too much for these people in the development spheres of their life, in other words, we tended to take upon ourselves everything that we could do for them and he proposed a purely voluntary system of community development and he first of all instituted a research programme which took two or three years to complete to find out what constituted a community and after that the Government has continued with its programme of encouraging these people within the community to do things for themselves. Of course side by side with this development people living in the European rural areas have also carried out a system of community development leading up to a local government and in the African Tribal Trust Lands there is provision for them to form their own local governments as well when they reach that stage. I can not emphasize too strongly that this has not been forced on the people, but in the meanwhile whilst they are deciding whether they wish to do these things for themselves or not, of course we maintain all the essential services already provided in these areas for them.

Mr. COTTEN. Mr. Plowden, time necessitates my interrupting this interview but if you would be kind enough we will certainly continue in similar vein another broadcast tomorrow. I know your message is getting through to our people in America and I am deeply appreciative of you sharing this time with our audience.

Mr. COTTEN. Yesterday and continued today, we share an interview with Mr. Richard Plowden, a very unique person with an enormous responsibility. He is, and there is no way to make the title shorter and be properly descriptive, the Under Secretary in charge of the Department responsible for the information from the Government to the African people and back from the African people to the Government, an enormous responsibility. Obviously he is a linguist of immense patience and talent and from the evidence of my own eyes I know he is highly respected by the African Chiefs.

Mr. Plowden, I wonder if you would share with our audience the background of these Chiefs, are they a one people, two people, when did they come to the land, how do they get along with each other, and the things of that nature.

Mr. PLOWDEN. Thank you, Richard, it is very nice to be with you again this evening. The Chiefs and the African people of Rhodesia are really three separate ethnic groups, there are two large ones and one small one. The small one are the Batonga who live along the northern part of Rhodesia but the two larger ones are known as the Shona and the Matabele. The former were known to come to Rhodesia when it was unoccupied, except by a few Bushmen and of course all the wild animals that were here in those days in the last 3 or 4 hundred years.

They moved in here slowly and settled by family groups all over the country. The Matabele passed through Rhodesia at the same time and were part of the Zulu nation of South Africa, from which nation they broke away in the last century, prior to the Pioneers coming into Rhodesia and having broken away from the Zulu nation under

their leader, one Mzilikazi. They came into the southwest corner of Rhodesia and conquered the Shona people who were living there. The Matabele speak a totally different language to the Shona, the latter's language is actually connected grammatically with the language of the people of Africa stretching from Rhodesia as far north as Kenya along the East Coast.

The Matabele organized themselves as a warlike nation and actually terrorized the more peaceful Shona people. However, with the arrival of the Pioneer Column here law and order between these two language speaking groups was maintained by the Pioneers and today both groups remain very friendly. As a matter of fact, you will remember you entertained to lunch a Matabele Chief and a Shona Chief.

MR. COTTEN. Yes, I did and I well recall asking them if there were any of the Chiefs who would like to see the Europeans leave and I got a very emphatic reply there were none according to these Chiefs, who would not even entertain the idea, that's the last thing they were wanting, is that correct?

MR. FLOWDEN. That you are quite correct there, Richard, in fact, the existence of these two main language speaking groups is recognized not only by themselves but by the Government of this country, and you may recall that in an earlier interview, I spoke about the ten Chiefs in the Senate, well, five of those come from Mashonaland that part of the country in which the majority of the Shona speaking people live, and five are elected by the Matabele Chiefs from what we call Matabeleland. They worked extremely harmoniously together in their trips overseas to different countries in 1964 and 1965, both lots of Chiefs went together and learned and worked and were very good ambassadors for this country together.

We find that although there are differences in their language and background and some cases in their customs, they are very appreciative of the technological achievements of the White Rhodesians in this country and encourage their people to learn as much as they can, but when working with our own African people in industry and so on, we find they prefer to work in groups under their own leader rather than individually at a sort of particular assembly line job. This is all part of their custom because in their own Tribal Trust Lands if a man's fields are ready to be reaped he calls all his neighbors together, he throws a big beer party for them, they brew their own beer and everybody comes along and gives a hand, so this is the way they like to work as well.

We find particularly since the terrorists have attempted to invade our country, that this has helped to unite both the White Rhodesians and the Black Rhodesians and also to unite the Matabele and the Shona people together, anybody would do this when it comes to defending their own country and this, all people of Rhodesia are determined to do whatever the cost.

MR. COTTEN. You spoke of their beer drinking which I know is quite central in their culture and I know some of the sanitary measures and so on; in fact, I went through a very stainless steel beer garden up near Victoria Falls which impressed me no end. I also know from your experience you have lived among these people where you were outnumbered some astronomical figure with virtually no crime in existence, would you stress this peacefulness of these people if you would please. Also the morality of the family unit which is very seriously misunderstood in America.

MR. FLOWDEN. Well, for three years my wife and I lived as a party of community of Government officials of which there were 18 adults and we were surrounded by over 90,000 Africans who lived under the tribal system,

that I have already described. Towards the end of our stay in this particular station, the crime figures dropped considerably, so much so that the strength of the Police which were 3 White men for these whole vast number of people, in fact, it was 4 but they reduced to 3 and the number of African Police who numbered 15 were dropped to 12 because this was all that was required to Police this particular area. As regards the morals of the African people, and I agree with you, Richard, it is not very well understood, but they have a very high moral code particularly regarding their women folk and one of the most serious crimes an African can commit is to commit adultery with another man's wife. Very heavy penalties are imposed by their own legal code, not ours, on seduction of young girls who eventually do not get married to the man who may have made her pregnant. Damages to the extent of 5 or 6 head of cattle which amount to up to 80 or 100 Rhodesian dollars in value can easily be paid for cases like this. Similar damages are paid to the husband if a man commits adultery with his wife. Of course, committing adultery with the wife of a Chief can cause you to be ostracized and banished from the area, that is the biggest crime of all.

So, the sanctity of women is well looked after and so is the upbringing of their children. This largely depends on the mother until the child is age 8 or 9 and it is during this period that the child is taught by example rather than by harsh disciplinary methods, to respect his parents.

The respect to parents by African children continues throughout his life and is bound up with his spiritual beliefs which would be necessary for me to spend a long time telling you about them.

MR. COTTEN. Mr. Plowden has barely started to tell you many of his startling things, to me, I thought I knew something of Rhodesia, had some concept of your being very paternalistic in your Government. I knew you weren't abusing the African, but I had no real concept of how you were truly bringing him into your Government and he had every opportunity to express himself as he wished in his own tribal territories. These two interviews together I should think would help the average American to make it abundantly clear to his neighbor what the real conditions are in this wonderful area of Africa.

MR. FLOWDEN, just a closing question. Less than a minute remaining in the interview, I am beginning to gather that Rhodesia is a completely unique thing in the African continent, it is not merely another African state, your relationship to the African here has no parallel, is this correct?

MR. FLOWDEN. Yes, this is quite correct particularly if you take it in the context of the colonial territories whether they were British, Belgium or French, to the north of us. Here it must never be forgotten that the Government official who works his way up through the Civil Service goes home every night he doesn't go home every two years for a six month furlough. Here we sincerely try and study the people that we work with whoever they may be, we respect their customs and we try to work with them in this context. We have a system which has been denigrated I know, throughout the world of the African people and their Chiefs. We ourselves in the past have not recognized the power of these Chiefs particularly in the spiritual and judicial sphere of their traditional functions, but we have found that we cannot destroy this and they and the people are very much happier for this system and I see no reason why we should try and change whilst the people want it.

MR. COTTEN. Thank you, Mr. Plowden, again for sharing this information and if we have the opportunity, Mr. Plowden, I am hoping

that we can develop a lengthy tape of one or two hours duration that our audience could write to Conservative Viewpoint to obtain and call on their neighbors and friends and share with them the realities of the actual relationship between the African and the European Rhodesians, certainly one people in their many wonderful ways.

[To Radio Audience] This series can be very important if you will do your part and every other listener will do the same. Send in for the material that we share with you in this series on Rhodesia and become effective in writing your letters to your Senators and your Congressmen, and your letter to your Editors. We could very well be instrumental in seeing sanctions lifted. The very fact that we don't recognize this Government is beyond our comprehension, we cut off our friends and do business with our enemies.

FOREIGN TRADE LEGISLATION SHOULD NOT BE POSTPONED

(MR. SIKES asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous material.)

MR. SIKES. Mr. Speaker, I note with concern that consideration of foreign trade legislation is being postponed until after the November election. This is a very disappointing development and I sincerely hope that it does not reflect a lack of interest by the leadership of the House and Senate in obtaining action on this bill.

Those of us who are genuinely concerned about the increasing severity of the competition of foreign goods with those of American manufacturers have long urged the enactment of legislation which gives some measure of protection. We have seen American industries forced to the wall and American workmen thrown out of jobs as more and more foreign producers flood the American market each year with their products. We are not impressed by the argument that we should adhere to the free trade policies which have long been advocated by the State Department. In the main, they are free trade policies only insofar as the United States is concerned. Many foreign nations have for a long time blocked free entry for most U.S. goods by special taxes. It is time for the United States to protect its own interests.

An effective bill has been reported by the House Ways and Means Committee to establish quotas on textile and shoe imports and to provide for quotas on other goods, to create new export-spurring tax incentives, and to wipe out a special tariff wall now provided for some chemical products. Those of us who recognize the need for this legislation must now redouble our efforts. Legislation on this subject should without fail be considered and enacted this year. We cannot afford to wait another year for another Congress to take action which is becoming more and more essential to the survival of important segments of American industry.

JOINT ECONOMIC COMMITTEE SCHEDULES ENERGY HEARINGS

(MR. PATMAN asked and was given permission to extend his remarks at this

point in the RECORD, and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, on August 13, I spoke in the House of my concern for the health of the entire energy producing sector of the economy. I indicated the intention of the Joint Economic Committee to undertake a thorough examination of energy prices and supplies.

Today I want to announce the schedule for our first 4 days of hearings on this vital subject. These hearings are scheduled to begin on Monday, October 5, and to continue on October 6, 9, and 10. A number of outstanding private experts have agreed to appear as witnesses, and we will also hear testimony from administration officials with responsibility in this area. I shall include the list of witnesses in the RECORD at the conclusion of my remarks.

My concern for the health of the energy sector has, if anything, grown larger since I last spoke about this. Throughout this summer we have again seen dramatic evidence of what our failure to plan ahead and to provide for adequate growth of energy supplies means to our local communities. Just last week the east coast has again experienced power shortages and "brown-outs." Furthermore, we are told that this winter we may be in for severe shortages of basic fuels, not only for electric power production, but for home heating as well.

I do not believe these shortages can be entirely blamed on happenstance or on unfortunate coincidences. If the basic structure of our industry were sound, temporary interruptions in the supply of imported oil or occasional breakdowns of an electric generator would not be causes for alarm or serious inconvenience.

In our hearings, we intend to get behind the temporary and transitional factors which are getting so much publicity and examine the basic health of the entire energy sector of the economy. Our first week of hearings will focus on fuel prices and supplies. We want to know how severe the fuel shortage really is and how Government policies affect prices and supplies. Do we have too much regulation or too little? Do the various regulatory agencies cooperate with each other as they should? Are our import policies in the public interest? Does the Government do enough research aimed at developing efficient and environmentally sound methods of fuel production? Do Government policies encourage the industry to do enough research and exploration? Should the Government permit a growth of monopoly in the fuels sector? What is this apparent increase in monopoly power doing to fuel prices?

All these questions, and many others, require good, honest answers, because the answers to these questions can affect every consumer and every business in the country.

The material referred to follows:

HEARINGS ON THE ENERGY OUTLOOK: AN OVERVIEW OF PRICE AND SUPPLY.

All sessions will be held in House Banking and Currency Hearing Room, 2129 Rayburn House Office Building, beginning at 10:00 a.m.

MONDAY, OCTOBER 5, 1970

Senator Lee Metcalf, Democrat, of Montana.

Walter S. Mead, University of California.

Willard Mueller, University of Wisconsin.

TUESDAY, OCTOBER 6, 1970

Paul W. McCracken, Chairman, Council of Economic Advisers.

James R. Nelson, Professor of Economics, Amherst College.

FRIDAY, OCTOBER 9, 1970

Senator Phillip A. Hart, Democrat, of Michigan.

Irving Dawes, Chairman of the Executive Committee, Clark Oil & Refining Corp., Milwaukee.

Lee C. White, Semer, White & Jacobsen, Washington, D.C.

John N. Nassikas, Chairman, Federal Power Commission.

SATURDAY, OCTOBER 10, 1970

Russell J. Cameron, Cameron Engineers, Denver, Colo.

James T. Ramey, Commissioner, Atomic Energy Commission.

BANKERS SHOULD FORGET POLITICS AND LOWER PRIME INTEREST RATES TO 6 PERCENT

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, it is time the big banks stopped kidding the American people and came up with a meaningful reduction in interest rates—a reduction that will actually benefit the consumer.

As predicted, last week's prime rate reduction was accompanied by great excitement and public relations activity, all designed to indicate that the big banks were at long last condescending to give the public lower interest rates. Big front-page headlines ran in most of the Nation's dailies and the television commentators rushed forward with the glad tidings.

All of us want lower interest rates, but it ill serves the American people to indicate that a paltry one-half of 1 percent reduction in the lending rate to prime borrowers will actually bring about lower interest rates for low- and moderate-income families. The bank press releases were notably silent about the rate structure for automobile, consumer, farm, and housing loans.

The big bankers, of course, realize that a one-half of 1 percent reduction will not send a shock wave through the banking community—a shock wave of sufficient force to bring about a dramatic lowering of the cost of money. The big banks can well afford to lower interest rates to 6 percent. Their profit figures—combined with other favorable conditions in the banking community—will allow a reduction to at least 6 percent.

Under present banking conditions, it is fraud on the American people to announce a token one-half of 1 percent reduction from 8 to 7½ percent. In any other industry, the advertisements and announcements accompanying the reduction would have been subject to immediate scrutiny by the Federal Trade Commission for deceptive advertising.

I challenge the big banks to open their books—let the press take a look—and let the public decide whether they got a square deal—a fair deal—with that one-half of 1 percent lowering of the prime rate. I challenge the big banks to show a one-half of 1 percent reduction in automobile loans, home loans, or consumer loans.

Why should this one-half of 1 percent reduction be solely for the prime customers—the big corporations and the friendly speculators? Why should the American consumer—who in the end foots all the interest rate bill—depend on the reduction trickling down?

Mr. Speaker, I hope the American press will pursue this issue with vigor and not stop at the glorious announcement put forward by Morgan Guaranty Trust and others last week. I hope the press will make inquiries on behalf of the American consumer to find out who is getting the interest rate reduction.

Some of the press immediately caught the import of the public relations gimmickry involved in last week's announcement. Last Wednesday, the Washington Evening Star ran an excellent editorial cartoon, depicting an overweight banker dropping a tiny morsel of food in a dog dish with the American consumer kneeling in a pleading demeanor. The tiny morsel of food was labeled "one-half percent lending rate cut."

Mr. Speaker, it is incumbent on this Congress and the Nixon administration to see that full justice is done and interest rates rolled back to the 6 percent level existing the day President Nixon was elected. Both economic and banking conditions call for such a cut.

Bank profits are swollen, and I am convinced that the third quarter figures which will be published soon will reflect this fact fully. In addition, the banks are paying less today for their funds than they have for many months. Their holdings of high-priced Eurodollars are being reduced rapidly. Never have conditions been more favorable for greater earnings on the part of the banks. And as I have reminded the leaders of the banking community many times, the banks receive almost half of their funds in the form of demand deposits—checking accounts—on which they pay not one dime of interest. So this talk about the banks paying a high price for their money is so much hogwash.

To their great credit, there are some bankers who have been quite candid about the situation and have not attempted to delude the public about their earnings. John R. Bunting, president of the First Pennsylvania Banking & Trust Co. of Philadelphia—the first major bank to push for lower interest rates—has been quite honest in his appraisal of the banks' profit picture. I quote this significant paragraph from an article on Mr. Bunting which appeared in the September 28 issue of Time magazine:

At the same time, the profits of major banks in the New York and Chicago money centers have been rising. Bunting says, for example, that in July and August the earnings of First Pennsylvania ran 25% ahead of

the preceding year. Meanwhile, the profits of many corporate customers, who must borrow at 8% or more, are falling.

Mr. Bunting, unfortunately, is a distinct minority in the big banking community. In fact, the latest maneuvering on the prime rate once again calls attention to the misleading nature of the statements which are issued to the press and the public by so many of the Nation's big banks.

Three weeks ago, I wrote David Rockefeller, chairman of the board of the Chase Manhattan National Bank, urging him to lower the prime rate. Mr. Rockefeller replied, in a letter dated September 15, and the sum total of that letter was a resounding "no" to my request.

Mr. Rockefeller immediately followed up with full-page advertisements in many of the Nation's major daily newspapers. The advertisements were in the form of an open letter to Congressman WRIGHT PATMAN telling the Congress and the American public that Chase Manhattan was not lowering the prime rate.

These advertisements ran in newspapers on Friday, September 18. By the time the Morgan Guaranty opened its doors on Monday morning, September 21, the signals had been changed and the decision made to lower interest rates by that one-half of 1 percent.

Suddenly the action that Chase Manhattan said was impossible on Friday became a reality on Monday. Before the day was out, Chase had joined the parade of other big banks and lowered its prime rate, the national advertising and the letters to WRIGHT PATMAN notwithstanding. Many people might be embarrassed by such an absurd about-face, but when you are sitting on top of nearly \$20 billion worth of assets, such embarrassments are easily overlooked.

It takes no great imagination to realize why the banks are blossoming forth with full-page advertisements and high-sounding statements about the economy and interest rates. On November 3, the American voters will be going to the polls and Mr. Rockefeller and many of his compatriots in the big banks would like to see the Nixon administration do well.

Mr. Rockefeller's advertisement carried some phrases which appear startlingly similar to material flowing from the Republican National Committee. In all fairness, his ad should have been marked "paid political advertisement."

In his open letter to me, Mr. Rockefeller was quick to deny any political implications. He wrote:

You also imply that bankers allow election-year considerations to affect their banking decisions. This certainly is not the case at Chase Manhattan, and I cannot imagine that such thinking would have a part in the management of any reputable bank.

Mr. Rockefeller's denial of interest in politics is not very convincing even in his own financial circles. For example, the Wall Street Journal of September 22, in a story on the prime rate decrease, quoted a foreign banker as stating:

The silly asses. I can only say it is too bad you people have an election coming up.

Quoting a London banker, the Wall Street Journal went on to say:

To be charitable about it we must call it an internal affair of the U.S. intended to show that the recession is officially over and that the monetary policy is to expand the economy again to help Republican candidates.

Once again, I ask Mr. Rockefeller and his cohorts in the banking community to lay aside political considerations and move for a substantial and lasting interest rate reduction. A reduction to 6 percent—which is easily possible—can prove the sincerity of the big banks' intentions.

SLOWDOWN DOOMS AIR AND WATER POLLUTION LEGISLATION

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

Mr. KING. Mr. Speaker, the Democratic Party over the weekend showed that it is meeting itself coming around the corner on the issue of the environment. While a group of Democrats was meeting downtown, and casting aspersions on the Nixon administration for alleged deficiencies in meeting the pollution crisis, Democrats here in Congress were announcing a slowdown that virtually dooms the Nixon administration air and water pollution legislation.

Let us set the record straight. The clean air bill came to Congress on February 18 of this year, along with a bill to create the Environmental Financing Authority, a parklands bill, and a waste treatment facilities bill. None of these has become law simply because the Democrats have been too busy attending antipollution meetings and creating talk pollution to tend to the public's business. They are now trying to create a two-way stretch to cover up their poor record on environment legislation.

The Nixon administration is the first to declare war on environmental decay. It has taken decisive steps. Suits have been filed against oil companies, steel firms, and other industries. It has moved to halt DDT and mercury poisoning. None of this was even feebly attempted under the Johnson administration.

The Nixon administration has moved while the Democrats have sat on their hands. That is why they are meeting themselves coming around the corner—and apparently their left hand does not know that their right hand in Congress is in a sling.

PERFECT CREDIBILITY RECORD OF PRESIDENT NIXON

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

Mr. GERALD R. FORD. Mr. Speaker, the release of the statistics on the American casualty rate in Vietnam for the week ending September 19, which at 52 is again the lowest weekly rate in almost 4 years, points once again to the perfect credibility record of President Nixon. When the President announced that he was sending allied troops into Cambodia to clean out the enemy sanctuaries there, he predicted that the action would save American lives.

The sharp decline in the American casualty rate since the Cambodian operation has borne out that prediction. In the past 3 months the casualty rate has been less than 90 each week and on two occasions has matched a 4-year low.

Mr. Speaker, President Nixon has been candid and honest with the American people about Vietnam. Each time he has announced that troops would be withdrawn from Vietnam they have been withdrawn. He promised that the Cambodian operation would save American lives and it has saved American lives.

President Nixon has kept every promise he has made about the war in Vietnam. It is all the more reason that he should receive the support of Congress in his effort to achieve an honorable peace.

ANOTHER CUBAN CRISIS

(Mr. DORN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DORN. Mr. Speaker, once again we hear ominous reports of Russian military activity in Communist Cuba, this time the reported construction of a Russian nuclear submarine base. This would be an extremely dangerous development that would have to be met squarely by this country.

The Cuban missile crisis of 1962 was considered by some to be a victory for the United States. But many of us said at the time, and have contended ever since, Mr. Speaker, that this episode was a defeat for this country. The Russians may have withdrawn their missiles but apparently they exacted from the U.S. Government an understanding that the Communist Castro regime would be shielded by the United States from Cuban refugee groups operating from our shores. More importantly for Castro, we agreed not to invade Cuba. We further agreed to withdraw our missiles from Turkey.

Mr. Speaker, I commend to my colleagues' attention the following outstanding editorial from the Greenville, S.C., News which clearly makes the point that this time there must be no concessions:

[From the Greenville, (S.C.) News, Sept. 28, 1970]

THIS TIME, NO CONCESSIONS

Strong indications that the Soviet Union is building a nuclear submarine base on Cuba show again that President Kennedy mishandled the Cuban missile crisis of 1962, a mistake President Nixon must not repeat in 1970.

Having flopped badly on the disastrous Bay of Pigs expedition by failing to provide air cover for landing forces, President Kennedy made a big show of "standing up" to Russia when offensive missiles were found on Cuba in October 1962. He drew applause by getting Khrushchev to withdraw the missiles, but paid too big a price for the "victory."

The Kennedy commitment to protect the Castro Communist government of Cuba from overthrow by Cuban refugees has resulted in nothing but trouble ever since. The retired Khrushchev regards the results of the 1962 crisis as the greatest accomplishment of his regime because, as he said, it guaranteed the permanence of a Communist government and a Soviet base on Cuba.

Ever since that time Cuba has been a training ground and base of operations for subversives and terrorists in most Latin American countries and for Marxist organizations fomenting trouble in the United States. Much of the unrest, including campus violence, bombings and murders, in this country is linked to the infamous Tri-Continental Congress organizations based in Havana and sponsored by the Castro government.

The current Russian military activity on Cuba is the latest threat to stem from the Kennedy guarantee of protection for Castro.

As the White House said, a permanent submarine base on Cuba would be an offensive military installation. It would allow nuclear-powered Soviet subs, carrying atomic missiles to roam freely throughout the Caribbean Sea and along the Atlantic Coast. The mobile missile threat would be greater than the fixed-base threat of 1962.

It has to be stopped.

White House reaction to the Pentagon's report was surprisingly mild. Perhaps the administration hopes that viewing a sub base "with utmost seriousness" will cause the Russians to cease the offensive military activity.

Chances are this won't be enough. The Russians are not noted for backing away from offensive activity just because somebody views it with "seriousness." It probably will take a stronger prod than that, and the Russians can be expected to seek concessions, even if they do call off the base, just as they did in 1962.

If the Russians are building a sub-base on Cuba the Nixon administration and the American people are in for a tough test of strength and determination. This time the American position should be clear and unmistakable.

President Nixon should tell the Russians that, come what may, there will be no Soviet sub-base on Cuba and no concessions made in order to prevent it.

TAKE PRIDE IN AMERICA

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

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. Inventions in the United States are coming at a faster and faster rate. During the period from 1946-1950, 144,076 patents for inventions were issued compared to 259,971 from 1961-1965. In 1968 alone there were nearly 60,000 patented inventions. This points up America's ever-increasing technological achievements.

CONFERENCE REPORT ON H.R. 17123

Mr. RIVERS submitted the following conference report and statement on the bill (H.R. 17123) authorizing appropriations for fiscal year 1971 for military procurement, research and development, and for anti-ballistic-missile construction, and prescribing Reserve strength:

CONFERENCE REPORT (H. REPT. NO. 91-1473)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17123) to authorize appropriations during the fiscal year 1971 for procurement of air-

craft, missiles, naval vessels, and tracked combat vehicles, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows: That the House recede from its disagreement to the amendment of the Senate to the text of the bill and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

TITLE I—PROCUREMENT

SEC. 101. Funds are hereby authorized to be appropriated during the fiscal year 1971 for the use of the Armed Forces of the United States for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and other weapons, as authorized by law, in amounts as follows:

AIRCRAFT

For aircraft: for the Army, \$292,100,000; for the Navy and the Marine Corps, \$2,416,700,000; for the Air Force, \$3,255,500,000.

MISSILES

For missiles: for the Army, \$1,059,700,000; for the Navy, \$932,400,000; for the Marine Corps, \$12,800,000; for the Air Force, \$1,485,400,000.

NAVAL VESSELS

For naval vessels: for the Navy, \$2,711,900,000.

TRACKED COMBAT VEHICLES

For tracked combat vehicles: for the Army, \$205,200,000; for the Marine Corps, \$47,400,000.

OTHER WEAPONS

For other weapons: for the Army, \$67,200,000; *Provided*, That none of the funds authorized for appropriation by this Act shall be obligated for the procurement of M-16 rifles until the Secretary of the Army has certified to the Congress that at least three active production sources for supplying such weapons will continue to be available within the United States during fiscal year 1971; for the Navy, \$2,789,000; for the Marine Corps, \$4,400,000.

TITLE II—RESEARCH, DEVELOPMENT, TEST, AND EVALUATION

SEC. 201. Funds are hereby authorized to be appropriated during the fiscal year 1971 for the use of the Armed Forces of the United States for research, development, test, and evaluation, as authorized by law, in amounts as follows:

For the Army, \$1,635,600,000;
For the Navy (including the Marine Corps), \$2,156,300,000;
For the Air Force, \$2,806,900,000; and
For the Defense Agencies, \$452,800,000.

SEC. 202. There is hereby authorized to be appropriated to the Department of Defense during fiscal year 1971 for use as an emergency fund for research, development, test, and evaluation or procurement or production related thereto, \$50,000,000.

SEC. 203. (a) Funds authorized for appropriation to the Department of Defense under the provisions of this or any other Act shall not be available after December 31, 1970, for payment of independent research and development or bid and proposal costs unless the work for which payment is made has, in the opinion of the Secretary of Defense, a potential relationship to a military function or operation and unless the following conditions are met—

(1) the Secretary of Defense, prior to or during each fiscal year, negotiates advance agreements establishing a dollar ceiling on such costs with all companies which during their last preceding fiscal year received more

than \$2,000,000 of independent research and development or bid and proposal payments from the Department of Defense, the advance agreements thus negotiated (A) to cover the first fiscal year of each such contractor beginning on or after the beginning of each fiscal year of the Federal Government, and (B) to be concluded either directly with each such company or with those product divisions of each such company which contract directly with the Department of Defense and themselves received more than \$250,000 of such payments during their company's last preceding fiscal year;

(2) the independent research and development portions of the advance agreements thus negotiated are based on company submitted plans on each of which a technical evaluation is performed by the Department of Defense prior to or during the fiscal year covered by such advance agreement; and

(3) no payments for independent research and development or bid and proposal costs are made by the Department of Defense to any company or product division with which an advance agreement is required by subsection (a) (1) of this section, except pursuant to the terms of that agreement.

(b) In the event negotiations are held with any company or product division with which they are required under subsection (a) (1) of this section, but no agreement is reached with any such company or product division, no payments for independent research and development or bid and proposal costs shall be made to any such company or product division during the fiscal year for which agreement was not reached, except in an amount substantially less than the amount which, in the opinion of the Department of Defense, such company or product division would otherwise have been entitled to receive, subject to appeal by such company or product division under regulations to be prescribed by the Secretary of Defense.

(c) The Secretary of Defense shall submit an annual report to the Congress on or before March 15, 1971, and on or before March 15 of each succeeding year, setting forth—

(1) those companies with which negotiations were held pursuant to subsection (a) (1) of this section prior to or during the preceding fiscal year of the Federal Government, together with the results of those negotiations;

(2) the latest available Defense Contract Audit Agency statistics, estimated to the extent necessary, on the independent research and development or bid and proposal payments made to major defense contractors, whether or not covered by subsection (a) (1) of this section during the preceding calendar year; and

(3) the manner of his compliance with the provisions of this section, and any major policy changes proposed to be made by the Department of Defense in the administration of its contractors' independent research and development and bid and proposal programs.

(d) The provisions of this section shall apply only to contracts for which the submission and certification of cost or pricing data are required in accordance with section 2306(f) of title 10, United States Code.

(e) Section 403 of Public Law 91-121 (80 Stat. 204) is hereby repealed.

SEC. 204. None of the funds authorized to be appropriated to the Department of Defense by this or any other Act may be used to finance any research project or study unless such project or study has, in the opinion of the Secretary of Defense, a potential relationship to a military function or operation.

SEC. 205. It is the sense of the Congress that—

(1) an increase in Government support of basic scientific research is necessary to preserve and strengthen the sound technological base essential both to protection of the

national security and the solution of unmet domestic needs; and

(2) a larger share of such support should be provided hereafter through the National Science Foundation.

TITLE III—RESERVE FORCES

SEC. 301. For the fiscal year beginning July 1, 1970, and ending June 30, 1971, the Selected Reserve of each Reserve component of the Armed Forces will be programed to attain an average strength of not less than the following:

- (1) The Army National Guard of the United States, 400,000.
- (2) The Army Reserve, 260,000.
- (3) The Naval Reserve, 129,000.
- (4) The Marine Corps Reserve, 47,715.
- (5) The Air National Guard of the United States, 87,878.
- (6) The Air Force Reserve, 47,921.
- (7) The Coast Guard Reserve, 15,000.

SEC. 302. The average strength prescribed by section 301 of this title for the Selected Reserve of any Reserve component shall be proportionately reduced by (1) the total authorized strength of units organized to serve as units of the Selected Reserve of such component which are on active duty (other than for training) at any time during the fiscal year, and (2) the total number of individual members not in units organized to serve as units of the Selected Reserve of such component who are on active duty (other than for training or for unsatisfactory participation in training) without their consent at any time during the fiscal year. Whenever any such units or such individual members are released from active duty during any fiscal year, the average strength for such fiscal year for the Selected Reserve of such Reserve component shall be proportionately increased by the total authorized strength of such units and by the total number of such individual members.

TITLE IV—ANTI-BALLISTIC-MISSILE CONSTRUCTION AUTHORIZATION; LIMITATIONS ON DEPLOYMENT

SEC. 401. (a) Military construction for the Safeguard anti-ballistic missile system is authorized for the Department of the Army as follows:

- (1) Technical and supporting facilities and acquisition of real estate inside the United States, \$322,000,000.
- (2) Research, development, test and evaluation facilities at the Kwajalein Missile Range, \$3,200,000.
- (3) Military Family Housing, four hundred units, \$8,800,000: Malmstrom Safeguard site, Montana, two hundred units, Grand Forks Safeguard site, North Dakota, two hundred units.

(b) There are authorized to be appropriated for the purposes of this section not to exceed \$334,000,000.

(c) Authorization contained in this section (except subsection (b)) shall be subject to the authorizations and limitations of the Military Construction Authorization Act, 1971, in the same manner as if such authorizations had been included in that Act.

(d) Within the amounts of the authorizations of military construction for Safeguard, the Secretary of the Army or his designee is authorized to provide for under such terms and conditions as he may determine, two hundred and twenty-five units of temporary family housing for occupancy on a rental basis by military and civilian personnel of the Department of Defense and their dependents at each Safeguard site in connection with any military construction and installation and checkout of system equipment which is or may hereafter be authorized at a Safeguard site, if the Secretary of the Army or his designee determines that such temporary housing is necessary in order to perform the construction and installation and checkout of system equipment, and that temporary

housing is not otherwise available under reasonable terms and conditions.

SEC. 402. None of the funds authorized by this or any other Act may be obligated or expended for the purpose of initiating deployment of an anti-ballistic missile system at any site other than Whiteman Air Force Base, Knobnoster, Missouri; except that funds may be obligated or expended for the purpose of initiating advanced preparation (site selection, land acquisition, site survey, and the procurement of long lead-time items) for an anti-ballistic missile system site at Francis E. Warren Air Force Base, Cheyenne, Wyoming. Nothing in the foregoing sentence shall be construed as a limitation on the obligation or expenditure of funds in connection with the deployment of an anti-ballistic missile system at Grand Forks Air Force Base, Grand Forks, North Dakota, or Malmstrom Air Force Base, Great Falls, Montana.

TITLE V—GENERAL PROVISIONS

SEC. 501. The Congress views with grave concern the deepening involvement of the Soviet Union in the Middle East and the clear and present danger to world peace resulting from such involvement which cannot be ignored by the United States. In order to restore and maintain the military balance in the Middle East, by furnishing to Israel the means of providing for its own security, the President is authorized to transfer to Israel, by sale, credit sale, or guaranty, such aircraft, and equipment appropriate to use, maintain, and protect such aircraft, as may be necessary to counteract any past, present, or future increased military assistance provided to other countries of the Middle East. Any such sale, credit sale, or guaranty shall be made on terms and conditions not less favorable than those extended to other countries which receive the same or similar types of aircraft and equipment. The authority contained in the second sentence of this section shall expire September 30, 1972.

SEC. 502. Subsection (a) of section 401 of Public Law 89-367, approved March 15, 1966 (80 Stat. 37), as amended, is hereby amended to read as follows:

(a) (1) Not to exceed \$2,800,000,000 of the funds authorized for appropriation for the use of the Armed Forces of the United States under this or any other Act are authorized to be made available for their stated purposes to support: (A) Vietnamese and other free world forces in support of Vietnamese forces, (B) local forces in Laos and Thailand; and for related costs, during the fiscal year 1971 on such terms and conditions as the Secretary of Defense may determine. None of the funds appropriated to or for the use of the Armed Forces of the United States may be used for the purpose of paying any overseas allowance, per diem allowance, or any other addition to the regular base pay of any person serving with the free world forces in South Vietnam if the amount of such payment would be greater than the amount of special pay authorized to be paid, for an equivalent period of service, to members of the Armed Forces of the United States (under section 310 of title 37, United States Code) serving in Vietnam or in any other hostile fire area, except for continuation of payments of such additions to regular base pay provided in agreements executed prior to July 1, 1970. Nothing in clause (A) of the first sentence of this paragraph shall be construed as authorizing the use of any such funds to support Vietnamese or other free world forces in actions designed to provide military support and assistance to the Government of Cambodia or Laos.

(2) No defense article may be furnished to the South Vietnamese forces, other free world forces in Vietnam, or to local forces in Laos or Thailand with funds authorized for the use of the Armed Forces of the United States under this or any other Act unless the

government of the forces to which the defense article is to be furnished shall have agreed that—

"(A) it will not, without the consent of the President—

"(1) permit any use of such article by anyone not an officer, employee, or agent of that government,

"(ii) transfer, or permit any officer, employee, or agent of that government to transfer such article by gift, sale, or otherwise, or

"(iii) use or permit the use of such article for purposes other than those for which furnished;

"(B) it will maintain the security of such article, and will provide substantially the same degree of security protection afforded to such article by the United States Government;

"(C) it will, as the President may require, permit continuous observation and review by, and furnish necessary information to, representatives of the United States Government with regard to the use of such article; and

"(D) unless the President consents to other disposition, it will return to the United States Government for such use or disposition as the President considers in the best interests of the United States, any such article which is no longer needed for the purposes for which it was furnished.

The President shall promptly submit a report to the Speaker of the House of Representatives and the President of the Senate on the implementation of each agreement entered into in compliance with this paragraph. The President may not give his consent under clause (A) or (D) of this paragraph with respect to any defense article until the expiration of fifteen days after written notice has been given to the Speaker of the House of Representatives and the President of the Senate regarding the proposed action of the President with respect to such article. As used in this paragraph the term 'defense article' shall have the same meaning prescribed for such term in section 644 (d) of the Foreign Assistance Act of 1961. In order to allow a reasonable period of time for the Department of Defense to comply with the requirements of this paragraph, the provisions of such paragraph shall become effective sixty days after the date of enactment of this paragraph."

SEC. 503. Of the total amount authorized to be appropriated by this Act for the procurement of the F-111 aircraft, \$283,000,000 of such amount may not be obligated or expended for the procurement of such aircraft until and unless the Secretary of Defense has (1) determined that the F-111 aircraft has been subjected to and successfully completed a comprehensive structural integrity test program, (2) approved a program for the procurement of such aircraft, and (3) certified in a written report to the Committees on Armed Services of the Senate and the House of Representatives that he has made such a determination and approved such a program, and has included in such written report the basis for making such determination and approving such program.

SEC. 504. (a) Of the total amount authorized to be appropriated by this Act for the procurement of the C-5A aircraft, \$200,000,000 of such amount may not be obligated or expended until after the expiration of thirty days from the date upon which the Secretary of Defense submits to the Committee on Armed Services of the Senate and the House of Representatives a plan for the expenditure of such \$200,000,000. In no event may all or any part of such \$200,000,000 be obligated or expended except in accordance with such plan.

(b) The \$200,000,000 referred to in subsection (a) of this section, following the submission of a plan pursuant to such subsection, may be expended only for the reason-

able and allocable direct and indirect costs incurred by the prime contractor under a contract entered into with the United States to carry out the C-5A aircraft program. No part of such amount may be used for—

(1) direct cost of any other contract or activity of the prime contractor;

(2) profit on any materials, supplies, or services which are sold or transferred between any division, subsidiary, or affiliate of the prime contractor under the common control of the prime contractor and such division, subsidiary, or affiliate;

(3) bid and proposal costs, independent research and development costs, and the cost of other similar unsponsored technical effort; or

(4) depreciation and amortization costs on property, plant, or equipment.

Any of the costs referred to in the preceding sentence which would otherwise be allocable to any work funded by such \$200,000,000 may not be allocated to other portions of the C-5A aircraft contract or to any other contract with the United States, but payments to C-5A aircraft subcontractors shall not be subject to the restrictions referred to in such sentence.

(c) Any payment from such \$200,000,000 shall be made to the prime contractor through a special bank account from which such contractor may withdraw funds only after a request containing a detailed justification of the amount requested has been submitted to and approved by the contracting officer for the United States. All payments made from such special bank account shall be audited by the Defense Contract Audit Agency of the Department of Defense and, on a quarterly basis, by the General Accounting Office. The Comptroller General shall submit to the Congress not more than thirty days after the close of each quarter a report on the audit for such quarter performed by the General Accounting Office pursuant to this subsection.

(d) The restrictions and controls provided for in this section with respect to the \$200,000,000 referred to in subsections (a) and (b) of this section shall be in addition to such other restrictions and controls as may be prescribed by the Secretary of Defense or the Secretary of the Air Force.

Sec. 505. Section 412(b) of Public Law 86-149, as amended, is amended by inserting immediately before the word "unless" the following: ", or after December 31, 1970, to or for the use of the Navy for the procurement of torpedoes and related support equipment".

Sec. 506. (a) None of the funds authorized to be appropriated by this Act shall be used for the procurement of delivery systems specifically designed to disseminate lethal chemical or any biological warfare agents, or for the procurement of delivery system parts or components specifically designed for such purpose, unless the President shall certify to the Congress that such procurement is essential to the safety and security of the United States.

(b) (1) Section 409(b) of Public Law 91-121, approved November 19, 1969 (83 Stat. 209), is amended—

(A) by striking out "or the open air testing of any such agent within the United States" in the material immediately preceding paragraph (1) and inserting in lieu thereof the following: "the open air testing of any such agent within the United States, or the disposal of any such agent within the United States";

(B) by striking out "transportation or testing" each time it appears in paragraphs (2), (3), and (4) and inserting in lieu thereof "transportation, testing, or disposal"; and

(C) by inserting "or disposal" immediately after "such testing" in paragraph (4)(A).

(2) Section 409(c)(1) of such public law is amended—

(A) by striking out "deployment, or stor-

age, or both," and inserting in lieu thereof "deployment, storage, or disposal"; and

(B) by striking out "deployment or storage" immediately after "unless prior notice of" and inserting in lieu thereof "deployment, storage, or disposal".

(3) The first sentence of section 409(c)(2) of such public law is amended by inserting "or for the disposal of any munitions in international waters," immediately after "outside the United States".

(4) Section 409 of such public law is further amended by adding at the end thereof a new subsection as follows:

"(g) Nothing contained in this section shall be deemed to restrict the transportation or disposal of research quantities of any lethal chemical or any biological warfare agent, or to delay or prevent, in emergency situations either within or outside the United States, the immediate disposal together with any necessary associated transportation, of any lethal chemical or any biological warfare agent when compliance with the procedures and requirements of this section would clearly endanger the health or safety of any person."

(c) (1) The Secretary of Defense shall undertake to enter into appropriate arrangements with the National Academy of Sciences to conduct a comprehensive study and investigation to determine (A) the ecological and physiological dangers inherent in the use of herbicides, and (B) the ecological and physiological effects of the defoliation program carried out by the Department of Defense in South Vietnam.

(2) Of the funds authorized by this Act for research, development, testing, and evaluation of chemical warfare agents and for defense against biological warfare agents, such amounts as are required shall be available to carry out the study and investigation authorized by paragraph (1) of this subsection.

(3) In entering into any arrangement with the National Academy of Sciences for conducting the study and investigation authorized by paragraph (1) of this subsection, the Secretary of Defense shall request that the National Academy of Sciences submit a final report containing the results of its study and investigation to the Secretary not later than January 31, 1972. The Secretary shall transmit copies of such report to the President and the Congress, together with such comments and recommendations as he deems appropriate, not later than March 1, 1972.

(d) On and after the date of enactment of this Act, no chemical or biological warfare agent shall be disposed of within or outside the United States unless such agent has been detoxified or made harmless to man and his environment unless immediate disposal is clearly necessary in an emergency, to safeguard human life. An immediate report should be made to Congress in the event of such disposal.

Sec. 507. (a) No information concerning the identity or location of the person, company, or corporation to whom any contract has been awarded by the Department of Defense shall be given to any individual, including any Member of Congress, in advance of a public announcement by the Secretary of Defense of the identity of the person, company, or corporation to whom such contract has been awarded.

(b) On and after the date of enactment of this Act, whenever the identity of the person, company, or corporation to whom any defense contract has been awarded is to be made public, the Secretary of Defense shall publicly announce that such contract has been awarded and to whom it was awarded.

Sec. 508. In order to reduce annual expenditures in connection with permanent change of station assignments of military personnel and in order to help further stabilize

the lives of members of the Armed Forces and their dependents, the Secretary of Defense is directed to initiate promptly new procedures with respect to domestic and foreign permanent change of station assignments for military personnel under which the length of permanent change of station assignments will, whenever practicable and consistent with national security, be made for longer periods of time.

Sec. 509. Section 412 of Public Law 86-149, as amended, is amended by adding at the end thereof a new subsection as follows:

"(d) (1) Beginning with the fiscal year which begins July 1, 1971, and for each fiscal year thereafter, the Congress shall authorize the average annual active duty personnel strength for each component of the Armed Forces; and no funds may be appropriated for any fiscal year beginning on or after such date to or for the use of the active duty personnel of any component of the Armed Forces unless the active duty personnel strength of such component for such fiscal year has been authorized by law.

"(2) Beginning with the fiscal year ending June 30, 1971, the President shall submit to the Congress a written report not later than January 31 of each fiscal year recommending the average annual active duty strength level for each component of the Armed Forces for the next fiscal year and shall include in such report justification for the strength levels recommended and an explanation of the relationship between the personnel strength levels recommended for such fiscal year and the national security policies of the United States in effect at the time."

Sec. 510. No part of the funds appropriated pursuant to this Act may be used at any institution of higher learning if the Secretary of Defense or his designee determines that at the time of the expenditure of funds to such institution recruiting personnel of any of the Armed Forces of the United States are being barred by the policy of such institution from the premises of the institution except that this section shall not apply if the Secretary of Defense or his designee determines that the expenditure is a continuation or a renewal of a previous grant to such institution which is likely to make a significant contribution to the defense effort. The Secretaries of the military departments shall furnish to the Secretary of Defense or his designee within 60 days after the date of enactment of this Act and each January 31st and June 30th thereafter the names of any institutions of higher learning which the Secretaries determine on such dates are barring such recruiting personnel from the campus of the institution.

And the Senate agree to the same. That the House recede from its disagreement to the amendment of the Senate to the title of the bill and agree to the same.

L. MENDEL RIVERS,
PHILIP J. PHILBIN,
F. EDWARD HEBERT,
MELVIN PRICE,
CHARLES E. BENNETT,
SAMUEL S. STRATTON,
LESLIE C. ARENDS,
ALVIN E. O'KONSKI,
WILLIAM G. BRAY,
BOB WILSON,
CHARLES GUBSER,

Managers on the Part of the House.

JOHN C. STENNIS,
RICHARD B. RUSSELL,
STUART SYMINGTON,
HENRY M. JACKSON,
HOWARD CANNON,
THOMAS J. MCINTYRE,
MARGARET CHASE SMITH,
STROM THURMOND,
JOHN TOWER,
PETER H. DOMINICK,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 17123) to authorize appropriations during the fiscal year 1971 for procurement of aircraft, missiles, naval vessels, and tracked combat vehicles, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

TITLE I—PROCUREMENT

Prior-year funds

Included in the Department of Defense fiscal year 1971 authorization request were items identified as "Prior Programs to be Justified" involving both procurement and R.D.T. & E. accounts for each of the several Services and Defense Agencies.

The bill as passed by the House of Representatives deleted the \$334,800,000 of new authorization requested by the Departments for these various older programs. The Senate concurred in the House action in denying the Department's request for new authorization in the amount of \$334,800,000. However, in addition to concurring with the House action, the Senate was of the view that the Department of Defense had failed to identify or rejustify these various prior year programs for which these amounts had previously been made available but not yet obligated. Further, it was established that these unobligated funds would not be used until some time after Fiscal Year 1971.

In view of these circumstances, the Senate in addition to agreeing with the House reduction, also reduced the requested new obligational authority by the same amount in view of the availability of these prior year funds for use during fiscal year 1971.

Although the Department of Defense objected to this Senate action as representing a departure from the "full funding" concept to the "incremental funding" concept, it was unable to persuade the conferees that this action would adversely affect procurement or research and development of the Department. Therefore, the House accepted the Senate action.

The various reductions in affected programs had previously been outlined in the Senate Report, No. 91-1016, and result in a reduction in the authorizations provided for departmental programs throughout titles I and II of the bill as agreed to by the conferees.

AIRCRAFT

Navy and Marine Corps

For the Navy, the House authorized \$79 million for the procurement of the S-3A ASW aircraft. The Senate deleted all procurement funds for the S-3A but provided a corresponding amount, \$79 million, for research and development on the aircraft.

The conferees agreed to restore the \$79 million to the procurement account. This matter is discussed further below in the review of the conferees' action on Navy Research and Development programs.

The Senate recedes.

Air Force

The House bill had provided a \$30,000,000 authorization for appropriations for Fiscal Year 1971 for an international fighter aircraft. The Senate denied this request. However, after considerable discussion, the Senate receded from its position and the conferees restored the \$30,000,000 authorization.

The Congress, in the fiscal year 1970 weapons authorization law (Public Law 91-121) authorized to be appropriated \$28,000,000 to

initiate procurement of a Free World fighter aircraft. The intention of the Congress was to make available a fighter aircraft to meet the needs of the Free World Forces in Southeast Asia, and to accelerate the withdrawal of United States Forces from South Vietnam and Thailand.

The statutory language authorizing the initiation of this procurement stipulated that the Air Force shall "prior to the obligation of any funds appropriated pursuant to this authorization, conduct a competition for the aircraft which shall be selected on the basis of the threat as evaluated and determined by the Secretary of Defense."

The conferees, in taking this action last year, emphasized their support of the request of the Deputy Secretary of Defense that "necessary adjustments" be made in "the military procurement authorization bill in order to permit the Department of Defense to proceed expeditiously with the development of a new Free World fighter aircraft by the Air Force."

The Secretary of Defense, at that time, also emphasized his conviction that this type of aircraft should be made available as quickly as possible to Free World Forces when he said:

"For some time the Department of Defense has been studying the issues incident to the development of an improved International Fighter Aircraft. Such an aircraft should (a) have adequate capabilities to handle the existing threat, (b) be as inexpensive as feasible, and (c) be simple to maintain and operate. When the military budget was presented to Congress earlier this year, the Department of Defense consideration of the issues involved had not proceeded sufficiently to justify making a request for resources to meet the objectives cited.

"Our continuing review over the past few months, however, has validated the objectives, and a draft concept for an International Fighter Aircraft has been completed. The concept highlights, inter alia, the utility our allies, particularly in the Asian theater, might find for a new fighter aircraft and alternative programs which might be undertaken to make such an aircraft available.

"In particular, we now believe it is desirable to consider an appropriate aircraft the South Vietnamese might use, as part of the Vietnamization process, defending against the potential North Vietnamese Mig threat."

In view of these circumstances, the Congress endorsed the action requested by the Department of Defense and provided the necessary authority for the initiation of this vital program in fiscal year 1970. However, despite the fact that the need for this type of aircraft has grown more acute, no final action has yet been taken by the Department of Defense to go forward with this procurement action.

The conferees neither appreciate nor understand the "foot dragging" that is evidently taking place in both the Department of Defense and the Air Force on this vital program.

It should not be necessary to point out that the Nixon Doctrine for providing independent nations with the equipment and weapons necessary to guarantee their independence, requires that we have available a simple and relatively inexpensive fighter aircraft. Such an air weapons system must be made available at the earliest practicable date if we are to safely withdraw United States Forces now operating and maintaining our own fighter aircraft in Southeast Asia. The availability of this type of aircraft is, in the view of the conferees a matter of the greatest urgency and should, in our national interest, be accomplished as expeditiously as possible.

The conferees, therefore, in authorizing an additional \$30 million for this program, suggest and urge the Secretary of Defense to personally resolve whatever remaining prob-

lems may have heretofore prevented the Air Force from going forward with this procurement action so that these aircraft can be made available to our Free World allies as soon as humanly possible.

The conferees are unaware of any legal or procedural problem that would prevent the Secretary of Defense from reaching a final decision on this procurement action. Therefore, it is expected that such a decision will be forthcoming from the Secretary without further delay.

MISSILES

Army

The House bill in its authorization of funds for procurement of missiles for the Army provided \$660.4 million for the Safeguard antiballistic missile system. The House authorization included \$25 million for the advance preparation of five sites for the Modified Phase II deployment. The Senate bill provided \$650.4 million for procurement for Safeguard and added language which prohibits the expenditure of funds for initiating deployment of an antiballistic missile system at any site other than Whiteman Air Force Base, Knobnoster, Mo., except that funds could be authorized for initiating advance preparation for an antiballistic missile system site at Francis E. Warren Air Force Base, Cheyenne, Wyo. The Senate provision specified that it was not to be construed as a limitation on further obligation or expenditure of funds in connection with the continued deployment of the ABM system at Grand Forks Air Force Base, N. Dak., or Malmstrom Air Force Base, Great Falls, Mont., the two sites where deployment was commenced under the authority of the fiscal 1970 authorization and will be continued under the authorization in the present bill. The Senate language in effect prohibits the advance preparation for four sites as authorized by the House bill and limits the deployment of the Safeguard system to the protection of strategic missile deterrent. The Senate conferees were adamant in their position.

In accepting the Senate amendment, the House conferees want to make very clear and to emphasize their belief that adequate protection of the national command and control function is essential to our security, and the House conferees interpret the conference action as not prohibiting follow-on studies of present and future programs to assure the survivability of this vital element of our national defense.

Section 401 of the Senate bill included authorization for military construction in connection with the Safeguard system in the amount of \$334 million, of which \$8.8 million is for 400 units of family housing (200 at Malmstrom and 200 at Grand Forks), \$322 million for Safeguard-related construction at the approved Safeguard sites and other installations, and \$3.2 million for construction at Kwajalein. The House bill contained no such construction authorization. However, the House has already approved identical dollar amounts for military construction in connection with Safeguard in its passage of the military construction authorization bill, H.R. 17604. Therefore, the House recedes.

The House bill authorized \$90.3 million for procurement of the Improved Hawk missile. The Senate bill reduced the authorization for the Improved Hawk to \$53.3 million, a reduction of \$37 million. The conferees agreed to an authorization of \$81.4 million, a restoration of \$28.1 million of the proposed Senate reduction.

The Senate reduction would have deleted all of the funds for procurement of missiles during fiscal 1971, leaving only the funds for continued modification of ground-support equipment and separate engineering services.

Such action might well have resulted in a 6-month break in production, with added program costs. At the urging of the House

conferees, therefore, the Senate agreed to the restoration of the \$28.1 million, which is consistent with the Army's requirements under a revised procurement plan which calls for a stretchout of the initial production rate to reduce concurrency to the minimum.

In agreeing to the restoration of these funds, it is the intention of the conferees that the procurement for the fiscal 1971 buy not be consummated until the successful completion of a testing program to ensure the operational readiness of the missile subject to the approval of the Secretary of Defense.

In its request for missile funding the Army included an amount of \$106 million for the Tow which which is one of the Army's heavy antitank weapons. The Army has in its inventory another heavy antitank (the Shillelagh missile) which, in range and lethality, is equal to or superior to the Tow and is presently in production at a price less than the Tow. Although the Shillelagh was developed to be fired from tanks, it can be adapted to a ground mode for the use of infantry troops or to a helicopter mode.

The House Committee felt that if this adaptation could be accomplished within a reasonable timeframe and at an acceptable cost, it would result in an eventual significant savings in present and future procurement of such a weapon. Therefore, the committee approved an amount of \$106 million, not specifically for the Tow, but for a heavy antitank weapon, provided the Army (1) conducted tests to determine the adaptability of the Shillelagh to the infantry and helicopter modes, and (2) if affirmative results were obtained, awarded a contract for the Army's total requirement for such missiles to the low bidder in a competition between the producers of the Tow and the producers of the Shillelagh.

Although the Army did not perform the aforesaid tests, they advised the Committee that they had conducted a special and intensive reevaluation of the Tow and Shillelagh systems for the infantry and helicopter roles. The results of this review established to the satisfaction of the Army that each of these weapons should be continued in their presently developed modes. Therefore, at the request of the Senate conferees, the House recedes from its provisional approval of the \$106 million for a heavy antitank weapon and agrees to authorize that amount for Tow funding.

Navy and Marine Corps

The House bill authorized \$52.7 million for the procurement of the Sparow missile for the Navy. The Senate bill authorized \$46 million, a reduction of \$6.7 million.

The House recedes.

The House bill authorized \$25.6 million for the procurement of the Improved Hawk missile for the Marine Corps. The Senate bill authorized \$10.8 million, a reduction of \$14.8 million. The missile is procured for the Marine Corps by the Army. In view of the recently revised procurement program under which the Army is proceeding, procurement of the Improved Hawk missiles for the Marine Corps could not be reasonably expected to commence until well into FY 1972. Therefore, since it appeared that money would not actually be required until 1972 for the Marine Corps the House conferees agreed to the Senate position.

The House recedes.

Air Force

The House bill eliminated all procurement funds for the Maverick missile and called for extending the development phase for another year to allow further development prior to procurement. The Senate restored \$3.1 million of the House reduction. The \$3.1 million will allow retaining present contract options and the production price advantages of the current contract while additional testing is performed.

The House recedes.

The House bill authorized \$15 million in procurement funds for modification of the Falcon missile. The Senate bill had denied the \$15 million. The conferees agreed to a restoration of \$6 million.

Naval vessels

The House included \$152 million for the advance procurement of the third *Nimitz*-class nuclear-powered aircraft carrier (CVAN-70). The Senate bill deleted these funds because the President in submitting the budget indicated that funds would not be obligated until completion of a study in process to assess future requirements for attack carriers. The Conference Committee reaffirmed the findings of a Joint House-Senate Subcommittee on CVAN-70 that this new carrier is needed. However, because of the singular treatment of this carrier in the President's budget message by making a condition of the building of the carrier dependent upon the outcome of a study being undertaken by the National Security Council and because the Administration, despite many pleas, has failed to make a final decision on the carrier, the Conference decided not to include the advance procurement for the CVAN-70 in this year's authorization bill. This is without prejudice to any action in future years.

The House recedes.

The House added on to the Naval vessel construction request of the President an additional \$435 million for new construction for the Navy. These additional funds will provide: one fast submarine (SSN-688 class), \$166 million; long lead time procurement for an additional such submarine, \$22.5 million; one submarine tender, \$102 million; one destroyer tender, \$103 million; two oceanographic research ships, \$7.5 million; and land craft, \$10 million and service craft, \$24 million. The Senate bill contained no such additions but approved a Naval construction program as requested by the President with the exception of the aforementioned CVAN-70 funds which were deleted by the Senate.

The additional ship construction items authorized by the House bill were designated by the Secretary of Defense as the first priority should additional funds be made available by the Congress for the Department of Defense.

The House conferees were able to convince the Senate conferees of the necessity for this additional ship construction program in view of the critical state of the Navy, and this additional \$435 million was therefore retained in the bill.

The Senate recedes.

The House bill included language which would have required that \$600 million of the funds authorized for Naval vessels would be authorized to be appropriated only for expenditure in Naval shipyards. The Senate bill contained no such provision. In view of the fact that the Department of Defense and the Navy strongly objected that the limitation was unworkable, the Conference Committee agreed to eliminate this provision.

The House recedes.

The House bill included a provision that no funds should be spent for shipbuilding until the National Security Council has made its report to the President with respect to the nuclear attack aircraft carrier CVAN-70. The Senate bill had no such provision. In view of the elimination of the funds for the advance procurement for the CVAN-70, there is no further necessity for this provision.

The House recedes.

The House bill included a provision that would require the construction of the new DD-963 class destroyer at the facilities of at least two different United States shipbuilders. The Senate bill had no such provision. The addition of this language was designed to make the Navy aware of the Congressional

intent that the private shipbuilding industry be encouraged on the Atlantic Coast, the Gulf Coast and the Pacific Coast. The Senate conferees were adamant in their opposition to this provision.

The House recedes.

Tracked combat vehicles

The M60A1E2 tank is a modification of the M60A1. This modification consists primarily of a new turret and barrel which permits the firing of the Shillelagh missile and the 152mm caseless round. This is the same basic firepower to be incorporated in the Main Battle Tank presently being developed.

The Army has invested more than a quarter of a billion dollars in the M60A1E2 development and the program has been plagued with problems of stability and maintainability for the past five years. However, recent test results suggest that fixes for these problems have been found, and that this can be finally determined by the Engineering and Service Testing, which the Army has scheduled for the near future.

The Senate deleted the \$12.1 million which the Army requested this year to continue the testing of the M60A1E2. This action would have ended the program just when there is reason to believe that it may prove successful. The House conferees felt that such action would result in the loss of almost a quarter of a billion dollars plus five years of effort and might deny the Army an interim missile firing tank which it states it urgently needs pending the deployment of the new Main Battle Tank during the late seventies and early eighties. Therefore, at the request of the House conferees the Senate conferees receded from their position and the \$12.1 million was restored. However, it was the decision of the conferees that there should be no further funding of the M60A1E2 unless the Engineering and Service Testing to be completed in 1971 establishes that the fixes proposed for this tank meet the needs of the Army.

The Army requested \$67.6 million for fiscal 1971 for M60A1 procurement. The Senate reduced that amount by \$10.9 million which represents the cost of 150 tank chassis which was expected to be recoverable from the M60A1E2 program which would have been terminated by the Senate action discussed above.

With the restoration of the M60A1E2 program by the conferees, the 150 tank chassis were no longer available for the M60A1 program. Therefore, at the request of the House conferees, the \$10.9 million was restored.

The Senate recedes.

The House approved a Marine Corps request in the amount of \$1.3 million for a training device to be used in connection with a new amphibious vehicle under development. Subsequently, the Marine Corps recommended deferral of this \$1.3 million because development of the training device has not been completed. Therefore, the Senate deleted this amount and the House conferees agreed to such deletion for the above-stated reason.

Other weapons

The House bill contained a provision that none of the funds authorized shall be obligated for the procurement of M-16 rifles until the Secretary of the Army has certified to the Congress that at least three active production sources will continue to be available in the United States during fiscal year 1971. The Senate bill contained no such provision.

The Senate conferees agreed to the position of the House with the understanding that in the coming year, both Houses will give attention to developing permanent policy looking beyond fiscal year 1971 on the question of having an adequate industrial capacity for meeting procurement requirements of this kind, taking into account contingencies that might arise.

TITLE II—RESEARCH AND DEVELOPMENT

General

Both the Senate and House modified the Research and Development budget request submitted by the Department of Defense. The original request of the Department of Defense totaled \$7,401,600,000. The conferees agreed upon \$7,101,600,000, or a reduction of \$300 million below the amount requested by the Department of Defense. The amount agreed upon is \$164 million less than that previously approved by the House and is \$164.1 million above the amount recommended by the Senate.

Army

For the Army, the conferees agreed upon a total of \$1,635,600,000. This reflects a reduction of \$100,300,000 below the departmental request and is \$10 million less than was authorized by the Congress last year.

In its initial consideration, the House reduced the Army Research and Development authorization by \$88 million, leaving flexibility with the Department of Defense to apply the reductions on the basis of military priorities.

The Senate, in its review, reduced the Army authorization by \$128.7 million, specifying reductions to be taken in some sixteen projects. The specific program reductions are spelled out in the Senate Report (No. 91-1016). The conferees agreed to accept the Senate reductions on all of these projects except the Cheyenne helicopter and the SAM-D missile.

In the case of the Cheyenne, the Senate receded from its position and restored the full \$17.6 million requested by the Department.

For the SAM-D, the Senate receded on \$8.8 million of the \$15 million in disagreement. The conferees authorized appropriations totaling \$83.1 million for the SAM-D program.

Close air support—roles and missions

During the conference it was brought to the attention of the conferees that a roles and missions question has arisen concerning close air support for the Army. The allegation has been made that there is competition for this mission between the Harrier aircraft, the Cheyenne helicopter and the proposed AX aircraft. The House conferees want to make their position perfectly clear and state unequivocally that they see no competition among these aircraft. The House conferees agree with the decision of the Deputy Secretary of Defense that these weapon systems are complementary and not competitive.

Main battle tank (MBT-70)

While not an item in disagreement, the House conferees are concerned about the austere support proposed by the Army for the gas turbine engine development for the Main Battle Tank (MBT-70/XM803). The proposed engine program for this tank of the future supports a "derated" diesel engine. Diesel engines of the type being developed for this important weapon system are based on technologies of the 1950's, or early 1960's, rather than the technology of this decade.

The House conferees question the wisdom of relying on past technology for weapons systems of the future rather than capitalizing on the latest technology available and that which offers greater growth potential in the future. For this reason, the House conferees strongly urge the Army to proceed with the development of the gas turbine engine for the Main Battle Tank on a basis at least equal to that of the derated diesel engine development program.

Navy and Marine Corps

The conferees agreed on \$2,156,300,000. This amount is \$56 million below the Departmental request and is \$41 million below the amount previously recommended by the House.

In its report, the Senate identified some thirteen programs for adjustment. In the case of the S-3A aircraft, \$79 million submitted in the Procurement authorization request was transferred to Research and Development because the two aircraft which the funds would buy are required initially for development and test. The Senate expressed concern that "... concurrency of research and development and procurement is to be avoided, and that a more orderly progression is to be achieved to insure that technical problems have been minimized by the time production is started."

The conferees agreed to leave the \$79 million in the Procurement authorization with the clear understanding that these two aircraft were to be treated as Research and Development test aircraft and the action is not to be interpreted as approval for release to production of the S-3A aircraft.

The conferees urge that the Secretary of Defense consider the use of the transfer authority to transfer \$79 million for the S-3A from Procurement to the R.D.T. & E. appropriation consistent with the use of these funds.

Of the remaining 12 programs adjusted by the Senate, the conferees agreed to restore the following amounts to the programs indicated:

	Millions
Defense research sciences.....	+\$2.3
Destroyer helicopter system.....	+5.0
F-14 B/C.....	+5.2
Air launched/surface launched anti-ship missile (Harpoon).....	+14.0
Point defense system development....	+3.8
Advanced surface ship sonar development	+7
Surface effect ships.....	+10.0

The funds restored for the F-14 aircraft program are to support the development of the advanced technology engine and are not to be used for the development of the avionics package for the F-14C aircraft.

Air Force

For the Air Force, the conferees agreed on an authorization totaling \$2,806,900,000. This reflects a reduction of \$120,800,000 from the amount requested by the Department of Defense. The amount agreed upon by the conferees is \$102.8 million below that previously authorized by the House.

The Senate, in its report, identified 16 programs for reduction in authorization amounts. The conferees agreed to restore all or portions of the reductions on ten programs as follows:

	Millions
Innovations in education and training	+\$0.2
Advanced fire control/missile technology.....	+2.8
Subsonic cruise armed decoy (SCAD)	+10.0
Advanced tanker.....	+5
B-1.....	+25.0
F-111 squadrons.....	+6.4
Short range air-to-air missile.....	+5.0
Minuteman rebasing	+27.0
Armament/ordnance development	+7.0
Truck interdiction	+5.0

During the past year, there has been widespread criticism, discussion and debate concerning the schedule slippages and cost overruns of military hardware contracts. While some of the criticism has been justified, it is important for everyone to obtain a better understanding of some of the reasons why cost overruns sometimes occur by reasons beyond the control of the parties immediately concerned.

The contract that best serves both the public and contractor interest is that one which is funded at a rate which produces the maximum return for each dollar spent. When a contract is funded at either a greater or lesser level than the optimum, waste inevitably results and that waste is accompanied

by schedule slippage. That is the beginning of the cost overrun.

Thus, in the case of the B-1, the House supported a Defense Department recommended funding level of \$100 million for fiscal year 1971. That sum was reduced to \$50 million by the Senate. In spite of urging by the House conferees, the Senate conferees did not agree to the restoration of the full sum. Thus the seeds of cost overrun have now been sown in this weapons system and the House conferees, therefore, give fair warning of this unfortunate fact.

The \$6.4 million for the F-111 had been deleted by the Senate because these funds had been identified for use on the AIM-7G missile, which was later determined not to be required in fiscal year 1971. The Senate agreed to restore these funds to support development of the F-111 Aircraft.

In the case of the Short Range Air-to-Air Missile, a total of \$13 million was agreed upon by the conferees to be authorized. This amount will enable the Air Force to pursue three alternatives to meet their requirement resulting from the recent Air Force cancellation of the AIM-82 program.

The Senate Conferees agreed to the full restoration of \$27 million for Minuteman rebasing with the understanding that the reoriented program would exclude efforts previously planned for hard rock development.

In the case of Armament/Ordinance Development, the Secretary of Defense advised that technical difficulty has precluded development of the Hard Structure Munition in Fiscal Year 1971 but that the funds would be applied to other munitions development. The Senate conferees agreed to restore these funds based upon the redirection of this program.

Defense agencies

For Defense Agencies, the conferees agreed on an authorization totaling \$452,800,000. This amount is \$22.9 million less than that requested by the Department of Defense and is \$7.9 million below the amount previously recommended by the House.

In its earlier report, the Senate identified several program areas for reduction. The conferees agreed to restore \$7.8 million of these reductions to the Advanced Research Projects Agency (ARPA). This restoration of authorization would be applied to the Defense Research Sciences program in the amount of \$4.8 million and to the Advanced Engineering Program in the amount of \$3.0 million.

Independent research and development
The Senate adopted language in Section 203 which provided for the following:

(a) Restricted payments to contractors for independent research and development (IR&D), bidding and proposal (B&P) and other technical effort (OTE) work which is relevant to Defense functions and operations.

(b) Required negotiation of advance agreements with all contractors who received more than \$2 million in IR&D, B&P, or OTE in their last preceding year.

(c) Required that negotiations of advance agreements be based on submitted plans and a technical evaluation of the IR&D portion of those agreements.

(d) In the event negotiations are held with any company required to enter into an advance agreement, but no agreement is reached, reimbursement would be made in an amount substantially less than the contractor otherwise would have been entitled to receive.

(e) The Department of Defense was required to report to Congress with regard to IR&D, B&P and OTE expenditures.

(f) Established a ceiling of \$325 million on payments to be made pursuant to advance agreements negotiated under the act, and

(g) Repeal of Section 403 of the fiscal year 1970 act which limited payments for IR&D,

B&P and OTE to 93 percent of the total cost contemplated by the Department.

The House version of the bill contained no comparable language.

Early this year a House Armed Services Subcommittee held hearings and issued a report on IR&D. The Subcommittee concluded that the control of defense expenditures for IR&D, B&P and OTE could be achieved through improved administration, coupled with adequate oversight, rather than through legislation. The recommendations of the Subcommittee were similar to the Senate language with the exception of the establishment of a ceiling and the section regarding relevancy.

The Senate conferees maintained that greater congressional oversight was necessary to assure adequate controls over governmental payments for IR&D, B&P and OTE to defense contractors. The House conferees acceded to the Senate where the language coincided with its subcommittee recommendations. However, in the opinion of the House conferees, specific ceilings on the total DOD reimbursement and the language with respect to relevancy were not acceptable.

Control through restrictive congressional ceilings

The provisions of the Senate language established a ceiling of \$625 million for the DOD reimbursement of IR&D, B&P and OTE costs to approximately 50 major contractors and was applicable to payments under cost type contracts only. The House conferees considered this provision as a line item in the authorizing procedure. During its hearings, it was established that such a line item provision was administratively impractical. Moreover, upon examination of the computation of the Senate ceiling amount, in the view of House conferees, it was found that it was, at best, an arbitrary amount, and there were questions as to the relationship of the ceiling with costs incurred by the affected contractors and contracts. The Senate conferees conceded to the House position and the language related to the establishment of a ceiling was deleted.

Relevancy

The House conferees agreed with the basic aim of the Senate language which required that payments should be made only for IR&D, B&P and OTE that was related to department functions or operations. However, with respect to basic research conducted as IR&D it cannot always be directly related to a DOD operation or function. Basic research is that type of research which is directed toward increase of knowledge in science rather than an application to a specific product. The development of such fundamental achievements in science is vital to military research and national interests. The House conferees were of the opinion that the relevancy phrase in the Senate language would unduly inhibit the conduct of needed basic research. The conferees agreed to delete the reference to relevancy and substitute the words "in the opinion of the Secretary of Defense, a potential relationship to a military function or operation" to assure a broad interpretation of the relationship of basic research to military requirements.

Other technical effort—OTE

The conferees agreed to eliminate legislative references to OTE because of the lack of specific definition of this category of cost. The Department in its testimony before the House Subcommittee on IR&D stated that OTE as a category of cost would no longer be used and that greater efforts would be made to correctly classify "OTE" costs as IR&D or B&P, or otherwise in the negotiation of agreements and contracts.

Relevancy of research to DOD activities

Section 204 of the Senate bill provided language identical to that contained in the fiscal year 1970 procurement act. It required that research would be conducted only on work having a direct and apparent relationship to a specific military function or operation.

The House version of the bill contained no comparable provision this year. After considering the findings in the House Subcommittee Report on R. & D., it was unanimously concluded that a comparable section should not be included because of the adverse impact of narrow interpretations of relevancy in the conduct of basic research. Accordingly, House conferees maintained that the criteria of "direct and apparent relationships" should not be used as a determining factor in the support of basic research efforts of contractors, universities, or non-profit institutions. However, the conferees agreed that applied research should have a demonstrable relevance to a military requirement.

The Senate agreed to delete the phrase "direct and apparent relationship" and substitute "in the opinion of the Secretary of Defense, a potential relationship" to offer greater assurance that basic research activities may be conducted to provide the broadest body of scientific knowledge to support future military needs.

Interagency Council on Domestic Applications of Defense Research

The Senate amendment contained a provision in Section 205 which, if enacted, would have established an interagency advisory council to be known as the Interagency Advisory Council on Domestic Applications of Defense Research. The Council was to be composed of eight members of various governmental departments, which would have the objective to encourage and support cooperative Department of Defense-domestic research projects.

The House bill contained no comparable provision.

The House conferees pointed out that there appears to be no need for a statutory council of this type in view of the existence of the research coordinating mechanisms of the existing Federal Council for Science and Technology and, in particular, the Department of Defense-domestic agency study group formed under the Federal Council to accomplish this particular objective. The House conferees also pointed out that no hearings had been conducted by the House Committee on Armed Services on this particular provision and therefore were unwilling to accept the Senate language without a more persuasive justification of a requirement for the creation of this new statutory body.

The Senate therefore reluctantly receded from its position and agreed to delete Section 205.

Permissive authority for research on single reentry system for Minuteman III and Poseidon

Section 206 of the Senate bill provided permissive authority for the Secretary of Defense to initiate a program of research on a single reentry vehicle system for Minuteman III and Poseidon. The section provided no additional funds but stipulated the funds would be transferred from other projects. The House bill contained no such provision.

The Senate recedes.

Increase in the level of domestic research effort

The Senate amendment included a provision as section 207 expressing the sense of Congress that an increase in government support of basic scientific research is necessary to preserve and strengthen the Nation's

technology base, which in turn is essential both to the protection of the national security and the solution of unmet domestic requirements.

The resolution further provided that a larger share of the increased support that should be forthcoming should be provided through the National Science Foundation.

The language of the Senate provision also stipulated that the National Science Foundation should be provided with a 20% increase in the amount of research funds made available to it for the fiscal year beginning July 1, 1971.

The House bill contained no comparable provision.

The House conferees were generally sympathetic to the objectives reflected in the sense of Congress provision on domestic research effort. However, the House conferees pointed out that this matter had not been the subject of House Committee hearings, and therefore was not a matter on which the House members were prepared to act. The House conferees, however, were sympathetic to the objectives of this provision, and therefore agreed to accept the Senate language with an amendment reflecting the House position.

Reports to be submitted on request to Senate and House committees

Section 208 of the Senate bill contained language requiring agencies of the Federal Government to submit to the House and Senate Committees on Armed Services and the House Committee on Foreign Affairs and the Senate Committee on Foreign Relations, a copy of any report, study, or investigation requested by such committee if the report, study, or investigation was financed in whole or in part with Federal funds and was prepared by a person outside the Federal Government. The only exception provided by the language of the Senate section would be with respect to the exercise of Executive Privilege by the President. The House bill contained no such provision.

While conferees of both houses agreed that a greater effort was advisable in the surveillance of reports prepared by outside persons or agencies financed by the Department of Defense, it was agreed that the language of the section is unnecessary as a means of obtaining compliance with requests for copies of reports and studies.

The Senate recedes.

TITLE III—RESERVE FORCES

The House bill provided that for the fiscal year ending June 30, 1971, the Selected Reserve of the Coast Guard Reserve would be programmed to attain an average strength of not less than 16,590. The corresponding section of the Senate bill provided for an average strength of the Coast Guard Reserve of 15,000.

The minimum Coast Guard Selected Reserve strength required to carry out early response wartime missions is 16,590, as determined by the Coast Guard's "Force Analysis Study" and discussed in detail in House Report No. 91-1022. Budgetary limitations have forced a reduction in the actual Selected Reserve strength from approximately 17,000 to a current level of about 15,000. The budget request of \$25.9 million for fiscal year 1971, and recruiting and training capabilities, will not permit the Coast Guard to reach a Selected Reserve strength of 16,590 during fiscal year 1971. In view of this situation, the conferees have agreed on an authorized strength of 15,000 for fiscal year 1971.

However, it is the belief of the House conferees that Coast Guard Selected Reserve strength should be adjusted upward next year to the 16,590 minimum required for wartime missions, and every effort should be

made by the Coast Guard to plan and fund for the attainment of that level at the earliest possible date.

The House recedes.

TITLE IV—ANTI-BALLISTIC MISSILE CONSTRUCTION AUTHORIZATION: LIMITS ON DEPLOYMENT

The Senate bill contained a separate title IV which authorized military construction in connection with the SAFEGUARD anti-ballistic missile system and included language limiting the deployment of the SAFEGUARD to specified sites in connection with the defense of our strategic missile deterrent. The House bill contained no such separate title. For reasons indicated earlier, the House agreed to the Senate provisions of construction authority in the present bill and the inclusion of Senate language on the limitation of deployment. Therefore, the House recedes on the inclusion of a separate title in regard to the ABM.

TITLE V—GENERAL PROVISIONS

Authority for the transfer of military equipment to the State of Israel

The Senate amendment to H.R. 17123 included a new Section 501 providing the President with authority to transfer military equipment to the State of Israel. There was no comparable position in the House passed bill.

The Senate Committee on Armed Services, in recommending this provision of law, explained its action in its Committee report as follows:

"The Committee action arises out of a recognition of the deteriorating military balance and the threat to world peace resulting from the deepening involvement of the Soviet Union in the Middle East, particularly their support of a war of attrition against Israel.

"The Committee believes that the sale to Israel of aircraft, and equipment necessary to use, maintain and protect such aircraft, should be authorized at once to facilitate action by the administration consistent with our policy of support for the security of Israel. The rapidity with which the military balance in the Middle East is being adversely affected by direct Soviet intervention calls for an authority in law that would make possible the sale of arms necessary to offset any past, present or future increased military assistance to other countries of the Middle East.

"In Section 501 the Committee affirms its view that the restoration and subsequent maintenance of the military balance in the Middle East is essential to the security of Israel and to world peace. In recognition of the severe economic burden presently borne by Israel in providing for its own defense, the Committee further provides that the credit terms upon which the authorized arms should be transferred be not less favorable than the terms extended to other countries receiving the same or similar armaments."

The managers on the part of the House fully concur in the urgent need for Presidential authority of this kind. However, notwithstanding the Senate action, it is the feeling of the Conferees that an expiration date should be provided in this authorization in order that the customary periodic authorization surveillance by Congress will be maintained as in other authorizations.

In order to effect this intention of the Conferees, language was added to the original Senate language which now provides that "the authority contained in the second sentence of this section shall expire September 30, 1972."

The Congress and the Committees responsible for the granting of this authority will be required to review the need for possible extension of this authority beyond September 30, 1972.

It is further understood that the Executive Branch will provide the Congress and the Committees responsible for this author-

ization with a semi-annual report on the implementation and utilization of the authority provided by this new section of law.

In order to insure that there is no doubt as to the interpretation of the Senate language, the Managers on the part of the House, the Senate Conferees concurring, reiterate their understanding that the language of the Senate amendment covers ground weapons, such as missiles, tanks, howitzers, armored personnel carriers, ordnance, etc., as well as aircraft. Further, it is intended that the words "equipment appropriate to * * * protect such aircraft" in the original Senate amendment be construed broadly and that they not be narrowly interpreted by the Executive Branch as imposing a requirement that only those ground weapons which are to be deployed by Israel in the physical proximity to airfields may be acquired by Israel under the authority of this section.

Support of Southeast Asia forces

The House bill contains a provision, Section 401, providing that funds authorized under this or any other act may be used in support of Vietnamese and other Free World forces in Vietnam and local forces in Laos and Thailand and for related costs on such terms and conditions as the Secretary of Defense may determine.

The corresponding section of the Senate bill, Section 502, provides a ceiling of \$2,500,000,000 on such funds and provides amendments to:

1. Provide support to Vietnamese and other Free World forces "in support of Vietnamese forces." This amendment removed the geographical limits imposed by the phrase "in Vietnam" for the purpose of border sanctuaries and related operations.

2. Provide that no funds may be used in the form of additional pay for other Free World forces in Vietnam if the amount of such payment was greater than the amount of special pay authorized to be paid, for an equivalent period of service, to members of the United States armed forces. The purpose of this amendment was to insure that funds provided by the section would not provide additional pay for other Free World forces in excess of the \$65 per month hostile fire pay provided for U.S. forces.

3. Prohibit the use of funds authorized in this section to support Vietnamese or other Free World forces "in actions designed to provide military support or assistance to the governments of Cambodia or Laos."

4. Provide that no defense article be furnished to the South Vietnamese or other Free World forces in Vietnam or local forces in Laos or Thailand with funds authorized pursuant to this section unless the government of those forces has agreed that such defense articles will not be transferred to a third country without notification to and the consent of the President of the United States.

The House receded from its position and accepted the amendments of the Senate, with further amendments to provide a dollar limitation of \$2,800,000,000 for fiscal year 1971 and to provide that the restriction on use of funds for additional pay for other Free World forces shall not apply "to the continuation of payments of such additions to regular base pay provided for in agreements executed prior to July 1, 1970."

The conferees would like it understood that the change in the dollar limitation to \$2,800,000,000 from the Senate ceiling is solely for the purpose of supplying flexibility to the Department of Defense should it be determined that additional money, if made available, would have the effect of speeding up Vietnamization with the resulting possibility of more rapid withdrawal of U.S. troops.

The exception provided under the limita-

tion of additional pay to other Free World forces is to assure that the U.S. will not renege on agreements already signed with the governments of such forces.

Requirement of certification by the Department of Defense on the structural integrity of the F-111 as a prior consideration for the obligation of funds

Section 503 of the Senate bill provides that of the funds authorized for the procurement of the F-111 aircraft, \$283 million may not be obligated until the Secretary of Defense has determined that the F-111 has been subjected to and successfully completed a comprehensive structural integrity test program and has approved a program for the procurement of the aircraft and has certified the approved programs and findings to the Committees on Armed Services. The House conferees were satisfied that this provision would in no way delay the further procurement of this vitally needed aircraft; and, in fact, the Department of Defense has advised the conferees that it has no objection to this requirement and was prepared to provide the needed certification as to the readiness of the aircraft. Therefore, the House recedes.

The House conferees wish to reiterate that the agreement upon language in the bill in no way reflects agreement with the position stated in the Senate report to the effect that the procurement authorized in the present bill represents the final increment of the F-111 procurement.

It is pointed out that the funds available for the F-111 for fiscal year 1971 will not even complete the fourth wing. The House conferees are unswerving in their belief that four full wings of F-111's should be procured; and it is clear, as the earlier House report indicates, that the Air Force believes six wings are required but such have been precluded for budgetary reasons. The House conferees believe that future decisions should be made in the future, and not made now on an arbitrary basis. A present decision on all future requirements for the F-111 is both unnecessary and unwise.

As the report of the Senate Committee makes clear, "no other aircraft in the Air Force inventory can compete with the F-111." The House conferees, therefore, will not accept the imposition of constraint on future procurement of this aircraft and shall insist that the Department of Defense consider further procurement for fiscal year 1972 if necessary for defense requirements and that no prohibition should be placed on the Air Force in planning studies for a fifth or sixth wing.

Limitations and controls on the C-5A program

Section 504 of the Senate amendment contained language which would prohibit the obligation or expenditure of \$200 million authorized to be appropriated for the procurement of the C-5A aircraft unless the Secretary of Defense submitted a plan for its expenditures to the Committees on Armed Services of the Senate and House of Representatives and such Committees approved the plan.

The House bill contained no comparable restriction or prohibition.

The conferees on the part of the House pointed out that they share the concern of the Senate in this matter. However, the action recommended by the Senate raises serious Constitutional questions in requiring that the Executive Branch come into agreement with the respective Committees on Armed Services before going forward with a discretionary action of this kind. Moreover, the Senate provision would, if enacted, have the effect of putting the Armed Services Committees in a position of acting as joint program managers on a matter which in the view of the House conferees should more

properly be the final responsibility of the Department of Defense.

In view of these House reservations, the conferees agreed to amend the Senate language to require the submission of a proposed plan of expenditure to the Committees on Armed Services of the Senate and House of Representatives with the further requirement that none of the \$200 million could be obligated or expended until after the expiration of 30 days from the date upon which the plan had been submitted to the Congress.

The balance of the Senate language containing the various prohibitions and restrictions remained unchanged. The House, therefore, recedes from its position and accepts the Senate amendment with an amendment.

Requirement of authorization legislation on naval torpedoes beginning in fiscal year 1972

Section 505 of the Senate bill would provide that after December 31, 1970, no funds will be appropriated for use by the Navy for the procurement of torpedoes and related support equipment unless the appropriations of such funds has been authorized by legislation enacted after such date. The House bill contained no such provision.

The Senate amendment is consistent with language adopted by the House last year but stricken from the conference report at the insistence of Senate conferees.

The House recedes.

Chemical and biological warfare

The Senate amendment included in Section 506, language which reaffirmed the prohibition on the procurement of CBW delivery systems contained in P.L. 91-121. However, the Senate amendment contained three additional provisions not previously appearing in the language relating to CBW last year.

Briefly, these three additions are as follows:

I. Subsection 506(b) amended last year's permanent provisions on CBW activities by making more rigid the provisions on disposal of any biological or lethal chemical agent.

II. Subsection 506(c) of the Senate language provided that the Secretary of Defense shall enter into appropriate arrangements with the National Academy of Sciences to conduct a study of the danger inherent in the use of herbicides and the ecological and physiological effects of the defoliation program in South Vietnam, and

III. Section 506(d) barred future disposition of chemical and biological agents unless they have been detoxified or made harmless.

There was no comparable House provision.

The Department of Defense advised the Conferees that it had no objection to the language of the Senate amendment but was concerned over the possibility that situations could arise where immediate disposal of quantities of CBW agents or munitions would be required to assure safety to individuals. Thus, it was pointed out that the delays in disposal actions caused by the notification requirements in Section 506 could in such cases jeopardize the safety of individuals. Additionally, the disposal of small laboratory quantities of lethal agents is a daily recurring action in research and development and in such instances notification for each action through the Department of Defense to HEW and the Congress would not be feasible.

The Conferees concurred in this reservation of the Department of Defense, and, therefore, agreed to amend the Senate language to overcome these problems. The amended language appears as a new paragraph (g) and is self-explanatory.

The language is as follows:

"(g) Nothing contained in this section shall be deemed to restrict the transportation or disposal of research quantities of any lethal chemical or any biological warfare agent, or to delay or prevent, in emergency

situations either within or outside the United States, the immediate disposal together with any necessary associated transportation, of any lethal chemical or any biological warfare agent when compliance with the procedures and requirements of this section would clearly endanger the health or safety of any person."

The House, therefore, recedes from its position and accepts the Senate language with an amendment.

Premature disclosure of defense contract awards

Section 507 of the Senate bill precludes the Secretary of Defense from furnishing information in advance of any public announcement to any individual concerning the identity or location of a person or corporation receiving a Defense contract. The House bill contained no such provision.

The House recedes.

Employment priority for persons affected by reductions-in-force

Section 508 of the Senate bill provides a sense of the Congress Resolution that the various executive departments will give priority in filling vacant positions with career Civil Service employees who are being displaced in the Department of Defense or other departments through reductions-in-force.

The House conferees were in agreement that this amendment had no place in the Military Procurement bill and insisted that regulations or legislation regarding Civil Service employees was properly the jurisdiction of the Post Office and Civil Service Committee. Furthermore, it should be noted that the Executive Branch is already implementing the policy proposed by the provision.

The Senate recedes.

Limitation on permanent change of station assignments

Included in the Senate language as Section 509 was a Senate floor amendment which directed the Secretary of Defense to initiate new procedures aimed at reducing the expenditures in connection with permanent change of station for military personnel.

The language of the Senate amendment also directed that there be effected "not less than a 25-percent reduction" in expenditures for permanent changes of station assignments beginning July 1, 1971, "and in each fiscal year thereafter."

The Department of Defense, in commenting on this Senate action, maintained that the enactment of this provision would "present extreme administrative and budgetary problems, as well as problems in manpower programs, especially considering the short time allowed for compliance and the turbulent situation with respect to military manpower."

The Navy advised the conferees that enactment of this provision would have a devastating impact on its already austere ship to shore rotation policy. Among other things, the Navy pointed out that—

"The Navy is a sea duty oriented force and must provide a relatively equitable opportunity for shore assignments because of the privations associated with duty at sea. There are approximately 335,000 enlisted and 37,000 officer sea billets compared to 151,000 enlisted and 41,000 officer shore billets. Increasing tour lengths of duty ashore would require disproportionate extensions at sea. There are 36 "deprived" enlisted ratings, comprising 46% of the enlisted population. Men in these ratings now spend 12 to 16 years at sea during a normal 20-year career."

The House conferees fully concur in the general objectives of the Senate language. The conferees were unanimous in their view that the Armed Services frequently require military members to change duty assign-

ments without any genuine military requirement for such transfer. These frequently unnecessary permanent changes of assignment are essentially due to either outmoded service policy or poor management, and simply result in unnecessary expenditures of millions of dollars while at the same time causing great inconvenience and hardship to service families.

On the other hand, the House conferees concede that lack of stability in the size of the Military Establishment and the personnel movements required by our commitments in Southeast Asia and other parts of the world make acceptance of the Senate language impractical at this time. Therefore, that portion of the Senate language requiring specified reductions in expenditures was deleted by the conferees.

The House therefore recedes from its objection to the Senate amendment, with an amendment that reflects the sense of Congress that the Department of Defense must initiate promptly new procedures with respect to domestic and foreign permanent change of station assignments for military personnel.

Requirement for the annual authorization for the number of active duty personnel

Section 510 of the Senate bill provides that beginning on July 1, 1971, an authorization for the average annual active duty strength of the Armed Forces would be required as a condition precedent to the appropriation of funds for this purpose.

There was no comparable House provision.

The House conferees had no objection to the Senate language, and therefore accepted the Senate amendment.

Encouragement of contractors to use closed military facilities

Section 511 of the Senate bill requires the Secretary of Defense to encourage recipients of defense contracts to use military installations being closed and to offer employment to former employees of military installations who are unemployed as a result of such closures. House conferees believed that such a proposed policy would introduce serious complications to the Department of Defense procurement program. Most defense installations are constructed for specialized purposes and would require substantial rearrangement for production purposes. House conferees insisted on a deletion of this section.

The Senate recedes.

No change in the command structure of U.S. Armed Forces

Section 512 of the Senate bill provides that no modification or change in the command structure of the United States armed forces shall be made until the Senate and House Committees on Armed Services of the 92d Congress shall have had 60 days to examine the document known as the Fitzhugh Report. The House bill contained no such provision.

The House conferees opposed the language as unnecessary and subject to misinterpretation.

The Senate recedes.

Military Recruiting At Colleges

The bill as recommended by the Armed Services Committee and passed by the House contained language in Section 402 which would have prohibited the use of funds authorized for appropriation, to be used for grants to any institution of higher learning when the Secretary of Defense or his designee determines that recruiting personnel of the armed forces were being barred from the premises or property of such institution.

The language provided that the prohibition would not apply under circumstances in which the Secretary of Defense or his designee determines the expenditure is a continuation or renewal of a previous grant to

such institution which is likely to make a significant contribution to the defense effort.

The language of the section also provided that the Secretaries of the military services are required to furnish to the Secretary of Defense the names of any institutions of higher learning which the Secretary determines are barring military recruiters from the campus of the institution.

The Senate amendment contained no similar provision.

The Senate conferees expressed support of the objectives of the House language but expressed concern that the language of the provision might, under certain circumstances, result in a denial of federal funds to a college or university despite the fact that neither the student nor the faculty were responsible for denying military recruiters the opportunity to be located on campus.

In view of these reservations, the House conferees agreed to modify the House language to provide that this prohibition would apply when military recruitment was "barred by the policy of the institution."

The Senate therefore recedes and accepts the House position with an amendment.

Summary

The bill as presented to the Congress by the President totaled \$20,605,489,000. The bill as passed the House totaled \$20,571,489,000. The bill as passed the Senate totaled \$19,242,889,000.

The bill as agreed to in conference totals \$19,929,089,000.

The figure arrived at by the conferees is \$642,400,000 less than the bill as it passed the House, \$686,200,000 more than the bill as it passed the Senate, and is \$676,400,000 less than the bill as it was presented to the Congress by the President.

The House recedes from its disagreement to the amendment of the Senate to the title of the bill and agrees to the same.

L. MENDEL RIVERS,
PHILIP J. PHILBIN,
F. EDWARD HEBERT,
MELVIN PRICE,
CHARLES E. BENNETT,
SAMUEL S. STRATTON,
LESLIE C. ARENDS,
ALVIN E. O'KONSKI,
WILLIAM G. BRAY,
BOB WILSON,
CHARLES GUBSER,

Managers on the Part of the House.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. PEPPER (at the request of Mr. ALBERT), for today, an account of official business.

Mr. McCLORY (at the request of Mr. GERALD R. FORD), through October 12, on account of official business.

Mr. PIRNIE (at the request of Mr. GERALD R. FORD), for September 28 through October 9, on account of official business.

Mrs. CHISHOLM (at the request of Mr. KOCH), for the week of September 28, on account of official business.

Mr. HAGAN (at the request of Mr. ALBERT), for today, on account of official business.

Mr. OLSEN (at the request of Mr. ALBERT), for today and the remainder of the week, 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. RIVERS, for 1 hour, today; and to revise and extend his remarks and include extraneous matter.

Mr. RARICK (at the request of Mr. PREYER of North Carolina), for 10 minutes, today; to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. SCHMITZ) and to revise and extend their remarks and include extraneous matter:)

Mr. CUNNINGHAM, for 60 minutes, on October 1.

Mr. CONTE, for 10 minutes, today.

Mrs. HECKLER of Massachusetts, for 10 minutes, today.

Mr. HALL, for 30 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. RANDALL, for 15 minutes, today.

Mr. BOLAND (at the request of Mr. DANIEL of Virginia), for 10 minutes, today; and to revise and extend his remarks and include extraneous matter.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. O'NEILL of Massachusetts and to include extraneous matter in five instances.

Mr. HOLIFIELD.

Mr. HOLIFIELD asked and was given permission to revise and extend his remarks made in Committee of the Whole today and to include extraneous matter.

Mrs. HANSEN of Washington (at the request of Mr. HOLIFIELD) and to include extraneous matter following his remarks on Reorganization Plan No. 4.

Mr. SCHMITZ to extend his remarks during discussion of S. 3558.

(The following Members (at the request of Mr. McCLOSKEY) and to include extraneous matter:)

Mr. HARSHA.

Mr. DERWINSKI.

Mr. KEITH.

(The following Members (at the request of Mr. DANIEL of Virginia) and to include extraneous matter:)

Mr. ABBITT.

Mrs. SULLIVAN in three instances.

(The following Members (at the request of Mr. SCHMITZ) and to include extraneous matter:)

Mr. WOLD in two instances.

Mr. PRICE of Texas in three instances.

Mr. BURTON of Utah in two instances.

Mr. SCHERLE in 10 instances.

Mr. CONTE.

Mr. GUDE.

Mr. DICKINSON.

Mr. WYMAN in two instances.

Mr. ESHLEMAN.

Mr. HOSMER in two instances.

Mr. HORTON in three instances.

Mr. CRAMER.

Mr. DON H. CLAUSEN.

Mr. HASTINGS.

Mr. SCHMITZ.

Mr. FINDLEY in seven instances.

Mr. THOMSON of Wisconsin.

Mr. ASHBROOK.

Mr. HORTON in three instances.

Mr. DERWINSKI in two instances.

(The following Members (at the request of Mr. PREYER of North Carolina:)

Mr. EDWARDS of California.

Mr. DINGELL in three instances.

Mr. SCHEUER.

Mrs. GRIFFITHS in two instances.

Mr. KASTENMEIER.

Mr. OLSEN in two instances.

Mr. VANIK in two instances.

Mr. WOLFF.

Mr. RARICK in five instances.

Mr. THOMPSON of New Jersey.

Mr. FARBSTEIN in four instances.

Mr. VAN DEERLIN in three instances.

SENATE BILLS, JOINT RESOLUTIONS, AND CONCURRENT RESOLUTIONS REFERRED

Bills, joint resolutions and concurrent resolutions of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 708. An act for the relief of Lawrence J. Nunes; to the Committee on the Judiciary.

S. 3657. An act to amend chapters 31, 34, 35, and 36 of title 38, United States Code, in order to make improvements in the vocational rehabilitation and educational programs under such chapters; to authorize an advance initial payment and prepayment of the educational assistance allowance to eligible veterans and persons pursuing a program of education under chapters 34 and 35 of such title; to establish a work-study program and work-study additional educational assistance allowance for certain eligible veterans; and for other purposes; to the Committee on Veterans' Affairs.

S. 3785. An act to amend title 38, United States Code, to authorize educational assistance to wives and children, and home loan benefits to wives, of members of the Armed Forces who are missing in action, captured by a hostile force, or interned by a foreign government or power; to the Committee on Veterans' Affairs.

S. 4368. An act to extend and amend laws relating to housing and urban development, and for other purposes; to the Committee on Banking and Currency.

S.J. Res. 236. Joint resolution authorizing the preparation and printing of a revised edition of the Constitution of the United States of America—Analysis and Interpretation, of decennial revised editions thereof, and of biennial cumulative supplements to such revised editions; to the Committee on House Administration.

S. Con. Res. 81. Concurrent resolution authorizing the printing of additional copies of Senate hearings on Copyright Law Revision (S. 597, Ninetieth Congress); to the Committee on House Administration.

ENROLLED JOINT RESOLUTION SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a joint resolution of the House of the following title, which was thereupon signed by the Speaker:

H.J. Res. 1366. Joint resolution to provide for the temporary extension of the Federal Housing Administration's insurance authority.

ADJOURNMENT

Mr. DANIEL of Virginia. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 53 minutes p.m.), the House adjourned until tomorrow, Tuesday, September 29, 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:

2404. A letter from the Assistant Secretary of State for Congressional Relations, transmitting notice of a Presidential determination authorizing an increase in military grant assistance to a country in Asia, pursuant to section 614(a) of the Foreign Assistance Act of 1961, as amended; to the Committee on Foreign Affairs.

2405. A letter from the Chairman, Equal Employment Opportunity Commission, transmitting the fourth annual report of the Commission, covering fiscal year 1969, pursuant to section 705(d) of the Civil Rights Act of 1964 (H. Doc. 91-378); to the Committee on Education and Labor and ordered to be printed.

2406. A letter from the Director of Civil Defense, Department of the Army, transmitting a report of Federal contributions—personnel and administration—for fiscal year 1970, pursuant to subsection 205 of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

2407. A letter from the Director of Civil Defense, Department of the Army, transmitting a report of Federal contributions program equipment and facilities for the quarter ended June 30, 1970, pursuant to subsection 201(l) of the Federal Civil Defense Act of 1950, as amended; to the Committee on Armed Services.

2408. A letter from the Chairman, Indian Claims Commission, transmitting a report that proceedings have been finally concluded with respect to docket No. 178, *The Confederated Tribes of the Colville Reservation, Plaintiff, v. The United States of America, Defendant*, pursuant to 60 Stat. 1055, 25 U.S.C. 70t, section 21; to the Committee on Interior and Insular Affairs.

2409. A letter from the Secretary of Commerce, transmitting the seventh annual report of activities for the promotion of foreign commerce through the use of mobile trade fairs, covering fiscal year 1970, pursuant to section 212(d) of Public Law 87-839; to the Committee on Merchant Marine and Fisheries.

2410. A letter from the Comptroller General of the United States, transmitting a report on management of federally financed research by the University of Michigan—a case study; 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:

[Pursuant to an order of the House on Sept. 24, 1970, the following report was filed on Sept. 25, 1970]

Mr. MILLS: Committee on Ways and Means. H.R. 19444. A bill to authorize for a temporary period the expenditure from the airport and airway trust fund of amounts for the training and salary and expenses of guards to accompany aircraft operated by U.S. air carriers, to raise revenue for such purpose, and to amend section 7275 of the Internal Revenue Code of 1954 with respect to airline tickets and advertising (Rept. No. 91-1471). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to an order of the House on Sept. 24, 1970, the following report was filed on Sept. 26, 1970]

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 19318. A bill to amend the Public Health Service Act to expand, improve, and better coordinate the family planning services and population research activities of the Federal Government, and for other purposes; with an amendment (Rept. No. 91-1472). Referred to the Committee of the Whole House on the State of the Union.

[Pursuant to an order of the House on Sept. 24, 1970, the following conference report was filed]

Mr. RIVERS: Committee of conference. Conference report on H.R. 17123. An act to authorize appropriations during the fiscal year 1971 of procurement of aircraft missiles, naval vessels, and tracked combat vehicles, and other weapons, and research, development, test, and evaluation for the Armed Forces, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes (Rept. No. 91-1473). Ordered to be printed.

[Submitted Sept. 28, 1970]

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 1223. Resolution for consideration of H.R. 17538, a bill to extend for 1 year the act of September 30, 1965, relating to high-speed ground transportation, and for other purposes. (Rept. No. 91-1474). Referred to the House Calendar.

Mr. O'NEILL of Massachusetts: Committee on Rules. House Resolution 1224. Resolution for consideration of H.R. 18185, a bill to provide long-term financing for expanded urban mass transportation programs, and for other purposes (Rept. No. 91-1475). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 1225. Resolution for consideration of H.R. 18970, a bill to amend the tariff and trade laws of the United States, and for other purposes (Rept. No. 91-1476). Referred to the House Calendar.

Mr. FASCELL: Committee on Foreign Affairs. House Joint Resolution 1077. Joint Resolution to amend the joint resolution authorizing appropriations for the payment by the United States of its share of the expenses of the Pan American Railways Congress Association (Rept. No. 91-1477). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. H.R. 6240. A bill to amend the act entitled "An Act authorizing the village of Baudette, State of Minnesota, its public successors or public assigns, to construct, maintain, and operate a toll bridge across the Rainy River at or near Baudette, Minnesota", approved December 21, 1950 (Rept. No. 91-1478). Referred to the Committee of the Whole House on the State of the Union.

Mr. FASCELL: Committee on Foreign Affairs. H.R. 15069. A bill to authorize the Thousand Islands Bridge Authority to construct, maintain, and operate an additional toll bridge across the St. Lawrence River at or near Cape Vincent, N.Y. (Rept. No. 91-1479). Referred to the Committee of the Whole House on the State of the Union.

Mr. POAGE: Committee on Agriculture. H.R. 18884. A bill to amend section 8c(6) (I) of the Agricultural Marketing Agreement Act of 1937, as amended, to permit projects for paid advertising under marketing orders, to provide for a potato research and promotion program, and to amend section 8e of the Agricultural Marketing Agreement Act of 1937, as amended, to provide for the extension of restrictions on imported commodities imposed by such section to imported raisins, olives, and prunes; with amendments (Rept. No. 91-1480). Referred to the Committee of the Whole House on the State of the Union.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. BURLESON of Texas (for himself and Mr. BUSH):

H.R. 19470. A bill to amend title XVIII of the Social Security Act to modify the nursing service requirement and certain other requirements which an institution must meet in order to qualify as a hospital thereunder so as to make such requirements more realistic insofar as they apply to smaller institutions; to the Committee on Ways and Means.

By Mr. COWGER:

H.R. 19471. A bill to amend the Fair Labor Standards Act of 1938, to exempt certain high wage earners; to the Committee on Education and Labor.

H.R. 19472. A bill to amend the Fair Labor Standards Act of 1938 to maintain at \$500,000 the annual dollar volume test for coverage by that act of the employees of certain enterprises engaged in commerce; to the Committee on Education and Labor.

By Mr. DADDARIO:

H.R. 19473. A bill to authorize the National Science Foundation to conduct research and educational programs to prepare the country for conversion from defense to civilian, socially oriented research and development activities, and for other purposes; to the Committee on Science and Astronautics.

By Mr. DINGELL:

H.R. 19474. A bill to promote the greater availability of motor vehicle insurance in interstate commerce under more efficient and beneficial marketing conditions; to the Committee on Interstate and Foreign Commerce.

H.R. 19475. A bill to regulate interstate commerce by requiring certain insurance as a condition precedent to using the public streets, roads, and highways, and for other purposes; to the Committee on Interstate and Foreign Commerce.

H.R. 19476. A bill to amend the Internal Revenue Code of 1954, and for other purposes; to the Committee on Ways and Means.

By Mr. FULTON of Pennsylvania:

H.R. 19477. A bill to provide insurance for member accounts in State and federally chartered credit unions, and for other purposes; to the Committee on Banking and Currency.

H.R. 19478. A bill to provide a comprehensive Federal program for the prevention and treatment of alcohol abuse and alcoholism; to the Committee on Interstate and Foreign Commerce.

By Mr. MINISH:

H.R. 19479. A bill to protect a person's right of privacy by providing for the designation of sexually oriented advertisements and for the return of any such unrequested advertisements at the expense of the sender; to the Committee on Post Office and Civil Service.

By Mr. SNYDER:

H.R. 19480. A bill to provide a penalty for unlawful assault upon policemen, firemen, and other law enforcement personnel, and for other purposes; to the Committee on the Judiciary.

By Mr. HATHAWAY:

H.R. 19481. A bill to strengthen equal educational opportunities for all children by providing grants to State and local educational agencies to support model school programs designed to reduce and eliminate racial isolation and to provide other improvements in the quality of education in the public schools; to the Committee on Education and Labor.

By Mr. PICKLE:

H.R. 19482. A bill to amend the Public Health Service Act to provide for the making of grants to medical schools and hospitals to assist them in establishing special departments and programs in the field of family practice, and otherwise to encourage and

promote the training of medical and paramedical personnel in the field of family medicine; to the Committee on Interstate and Foreign Commerce.

By Mr. VANIK:

H.R. 19483. A bill to amend title XI of the Federal Aviation Act of 1958 to provide that the Civil Aeronautics Board shall require the boycotting of certain movement by aircraft in cases of international aircraft hijacking, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. GUBSER:

H.J. Res. 1385. Joint resolution authorizing the President to proclaim the 28th day of September of each year as "Teacher's Day"; to the Committee on the Judiciary.

By Mr. LANGEN (for himself, Mr. FISHER, Mr. FLYNT, Mr. McDONALD of Michigan, Mr. BUCHANAN, Mr. SNYDER, and Mr. DICKINSON):

H. Con. Res. 754. Concurrent resolution expressing the sense of the Congress with respect to sanctions against Rhodesia; to the Committee on Foreign Affairs.

By Mr. BROOKFIELD:

H. Res. 1226. Resolution designating January 22 of each year as Ukrainian Independence Day; to the Committee on the Judiciary.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. DADDARIO:

H.R. 19484. A bill for the relief of Mrs. Ellis Medlock; to the Committee on the Judiciary.

By Mr. RODINO:

H.R. 19485. A bill for the relief of Eleanor Bacon-Peck; to the Committee on the Judiciary.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

603. By the SPEAKER: Petition of the general president, Laundry, Dry Cleaning and Dye House Workers' International Union, Chicago, Ill., relative to minimum wage legislation; to the Committee on Education and Labor.

604. Also, petition of the President of the Republic of Peru, expressing his appreciation for the aid of the American people to the people of Peru; to the Committee on Foreign Affairs.

605. Also, petition of Mercedes G. Vda. de Calimbas, Sulucan, Bocaue, Bulacan, Philippines, relative to increased disability compensation payments for disabled veterans; to the Committee on Veterans' Affairs.

SENATE—Monday, September 28, 1970

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. RUSSELL).

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

O Lord of the morning hour, of the afternoon, the evening, and the night, "under the shadow of Thy wing" we have dwelt secure and come once more to serve Thee in this place. For journeying mercies, for renewed strength, and a rekindled faith, we give Thee thanks. Free us this day from all that obstructs our doing Thy will. Command all our talents of mind and heart and will in service to the whole Nation.

Eternal God, we thank Thee for the measure of peace achieved and the promise of peace yet to come. We beseech Thee, by Thy grace, to put down the pride, greed, and anger that turn man against man and nation against nation, so that wars may be ended, the peace of Thy kingdom established, and all men call Thee Father.

In Thy holy name we pray. Amen.

MESSAGES FROM THE PRESIDENT—APPROVAL OF BILLS AND A JOINT RESOLUTION

Messages in writing from the President of the United States were communicated to the Senate by Mr. Geisler, one of his secretaries, and he announced that on September 25, 1970, the President had approved and signed the following acts and joint resolution:

S. 58. An act providing for the addition of the Freeman School to the Homestead National Monument of America in the State of Nebraska, and for other purposes;

S. 203. An act to amend the act of June 13, 1962 (76 Stat. 96), with respect to the Navajo Indian irrigation project;

S. 434. An act to reauthorize the Riverton extension unit, Missouri River Basin project, to include therein the entire Riverton Federal reclamation project, and for other purposes.

S. 1087. An act for the relief of Vernon Louis Hoberg.

S. 1170. An act to authorize the Department of Commerce to make special studies, to provide services, and to engage in joint projects, and for other purposes;

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

S. 2882. An act to amend Public Law 394, 84th Congress, to authorize the construction of supplemental irrigation facilities for the Yuma Mesa Irrigation District, Arizona;

S. 2976. An act for the relief of Margarita Anne Marie Baden (Nguyen Tan Nga);

S. 3337. An act to provide for the disposition of funds appropriated to pay judgments in favor of the Yakima Tribes in Indian Claims Commission dockets numbered 47-A, 162, and consolidated 47 and 164, and for other purposes;

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

S. 3838. An act to prevent the unauthorized manufacture and use of the character "Johnny Horizon," and for other purposes;

S. 3997. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Confederated Bands of Ute Indians in Court of Claims case 47567, and a judgment in favor of the Ute Tribe of the Uintah and Ouray Reservation for and on behalf of the Uncompahgre Band of Ute Indians in Indian Claims Commission docket numbered 349, and for other purposes;

S. 4033. An act to provide for the disposition of funds appropriated to pay a judgment in favor of the Chemehuevi Tribe of Indians; and

S.J. Res. 67. Joint resolution granting the consent of Congress to the States of Maryland and West Virginia and the Commonwealths of Virginia and Pennsylvania and the District of Columbia, as signatory bodies, for certain amendments to the compact creating the Potomac Valley Conservancy District and establishing the Interstate Commission on the Potomac River Basin.

REPORT ON SALARIES OF OFFICERS AND EMPLOYEES OF ORGANIZATIONS FUNDED UNDER THE ECONOMIC OPPORTUNITY ACT—MESSAGE FROM THE PRESIDENT

The PRESIDENT pro tempore laid before the Senate the following message from the President of the United States, which, with the accompanying report, was referred to the Committee on Labor and Public Welfare:

To the Congress of the United States:

I hereby submit the report on salaries of officers and employees of organizations funded under the Economic Opportunity Act that is required by Section 610-1(b) of the Economic Opportunity Act as amended in 1966. The report was prepared by the Office of Economic Opportunity and covers the fiscal year that ended on June 30, 1970.

RICHARD NIXON.

THE WHITE HOUSE, September 28, 1970.

EXECUTIVE MESSAGES REFERRED

As in executive session, the President pro tempore laid before the Senate messages from the President of the United States submitting sundry nominations, which were referred to the appropriate committees.

(For nominations received today, see the end of Senate proceedings.)

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Berry, one of its reading clerks, announced that the House had passed a bill (H.R. 18583) to amend the Public Health Service Act and other laws to provide increased research into, and prevention of, drug abuse and drug dependence; to provide for treatment and rehabilitation of drug abusers and drug dependent persons; and to strengthen existing law-enforcement authority in the field of drug abuse, in which it requested the concurrence of the Senate.

THE JOURNAL

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the reading of the Journal of the proceedings of Friday, September 25, 1970, be dispensed with.

The PRESIDENT pro tempore. Without objection, it is so ordered.

THE CALENDAR

Mr. MANSFIELD. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of measures on the calendar to which there is no objection, beginning with Calendar No. 1252.