They did not give lump-sum awards but they would say, "You are entitled to 5 weeks total disability and 50 weeks 20 percent disability."

Even though Ohio has one of the better systems, it is not a satisfactory way to handle it because in many instances the man would come in and say, "I want a lump sum settlement," and he would walk out with a thousand dollars or $1,500, but would have a permanent disability and have no recourse to go back in there. Or a man would have a back injury and a 50-percent disability and he would get a lump sum payment for that disability, with no recourse to the fund again.

I am hoping that within the bill, when it becomes law, the study that is proposed will bring about a uniform system of workmen's compensation that will be as uniform as it can be. I do not doubt that we will have to weight it, because a wage earner in New York perhaps earns more money than one in Alabama and necessarily, his benefit schedule would have to be greater. But I think that there should be uniformity as to weighing. I think, although it is not directly related here, minimum compensation benefits should be uniform, with weighing for regional differences.

It is a sad thing to see some of our State prerogatives drifting away. Sometimes we begrudge them and declare that our State prerogatives are very dear to us, but when it comes to health and safety, workmen's compensation, and minimum compensation, we hate to see them used as trading stock in competition over location of businesses. To say to an employer in Ohio, "Come to Oklahoma where workmen's compensation is only 50 percent," or, "You do not have to have as much on safety," that is not the kind of thing we want. This bill would bring uniformity on that score.

I think that it has a great many good things in it and I hope that we pass it. I certainly will use my good offices to collect as many pledges of votes as I can for its passage.

As I have said many times during this afternoon, I suggest that we should give Senators an opportunity to approach this matter objectively, and that we should not do it under a time restriction, especially when we have so much legislation that is of such great importance.

I cannot help remarking on the attitude of the membership here, that it would make consideration most unpleasant. That is to be deplored, as all of us here recognize the value of harmony in a legislative body.

Mr. MILLER. Mr. President, will the Senator from Ohio yield so that I may make a parliamentary inquiry?

Mr. SAXBE. Mr. President, I yield——

Mr. BYRD of West Virginia. Mr. President, I ask for the regular order.

The ACTING PRESIDENT pro tempore. The regular order is called for.

Mr. SAXBE. Mr. President, I suggest the absence of a quorum.

The ACTING PRESIDENT pro tempore. The clerk will call the roll.

The legislative clerk called the roll and the following Senators answered to their names:

[No. 378 Leg.]

Allen	Dole	Miller
Bellmon	Dominick	Proxmire
Byrd, W. Va.	Griffin	Saxbe
Curtis	Mansfield	Williams, N.J.

The ACTING PRESIDENT pro tempore. A quorum is not present.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. BYRD of West Virginia. Mr. President, I move that the Senate stand in adjournment under the previous order.

The motion was agreed to; and (at 7 o'clock and 13 minutes p.m.) the Senate adjourned until tomorrow, Wednesday, October 14, 1970, at 9 a.m.

NOMINATIONS

Executive nominations received by the Senate October 13, 1970:

U.S. ATTORNEY

Lester Engler, of Arizona, to be U.S. attorney for the district of the Canal Zone for the term of 8 years, vice Rowland K. Hazard, resigned.

U.S. NAVY

Rear Adm. George E. Moore, II, Supply Corps, U.S. Navy, having been designated for commands and other duties determined by the President to be within the contemplation of title 10, United States Code, section 5231, for appointment to the grade of vice admiral while so serving.

DIPLOMATIC AND FOREIGN SERVICE

Melvin L. Manfull, of Utah, a Foreign Service officer of class 1, to be Ambassador Extraordinary and Plenipotentiary of the United States of America to the Central African Republic.

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Ethel Bent Walsh, of the District of Columbia, to be a member of the Equal Employment Opportunity Commission for the term expiring July 1, 1975, vice Elizabeth Jane Kuck, term expired.

CONFIRMATIONS

Executive nominations confirmed by the Senate October 13, 1970:

BUREAU OF MINES

Elburt Franklin Osborn, of Pennsylvania, to be Director of the Bureau of Mines.

FEDERAL TRADE COMMISSION

David S. Dennison, Jr., of Ohio, to be a Federal Trade Commissioner for the term of 7 years from September 26, 1970.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

David Ogden Maxwell, of Pennsylvania, to be General Counsel of the Department of Housing and Urban Development.

U.S. CIRCUIT COURTS

Paul H. Roney, of Florida, to be a U.S. circuit judge, fifth circuit.

U.S. DISTRICT COURTS

Samuel Conti, of California, to be a U.S. district judge for the northern district of California.

Robert H. Schnacke, of California, to be a U.S. district judge for the northern district of California.

Gordon Thompson, Jr., of California, to be a U.S. district judge for the southern district of California.

J. Clifford Wallace, of California, to be a U.S. district judge for the southern district of California.

Peter T. Fay, of Florida, to be a U.S. district judge for the southern district of Florida.

James L. King, of Florida, to be a U.S. district judge for the southern district of Florida.

Gerald B. Tjoflat, of Florida, to be a U.S. district judge for the middle district of Florida.

Charles A. Moye, Jr., of Georgia, to be U.S. district judge for the northern district of Georgia.

William C. O'Kelley, of Georgia, to be a U.S. district judge for the northern district of Georgia.

C. Rhodes Bratcher, of Kentucky, to be a U.S. district judge for the western district of Kentucky.

Nauman S. Scott, of Louisiana, to be a U.S. district judge for the western district of Louisiana.

James R. Miller, Jr., of Maryland, to be U.S. district judge for the district of Maryland.

Clarkson S. Fisher, of New Jersey, to be a U.S. district judge for the district of New Jersey.

John J. Kitchen, of New Jersey, to be a U.S. district judge for the district of New Jersey.

Frederick B. Lacey, of New Jersey, to be a U.S. district judge for the district of New Jersey.

Robert B. Krupansky, of Ohio, to be a U.S. district judge for the northern district of Ohio.

Nicholas J. Walinski, Jr., of Ohio, to be U.S. district judge for the northern district of Ohio.

Carl O. Bue, Jr., of Texas, to be a U.S. district judge for the southern district of Texas.

DEPARTMENT OF JUSTICE

George J. Long, Jr., of Kentucky, to be U.S. attorney for the western district of Kentucky for the term of 4 years.

Lester Engler, of Arizona, to be U.S. attorney for the district of the Canal Zone for the term of 4 years.

Benjamin F. Butler, of New York, to be U.S. marshal for the eastern district of New York for the term of 4 years.

SUBVERSIVE ACTIVITIES CONTROL BOARD

John William Mahan, of Montana, to be a member of the Subversive Activities Control Board for the term expiring March 4, 1975.

HOUSE OF REPRESENTATIVES— *Tuesday, October 13, 1970*

The House met at 12 o'clock noon.

The Reverend Father Thomas G. Fahy, president, Seton Hall University, South Orange, N.J., offered the following prayer:

Let us pray.

Almighty and most merciful Father, the rights of Your people and the power to govern them came from Your hand. Shed Your grace and Your light abundantly on those who rule us in Your name, our President, our Congress—especially this distinguished House—and our courts. Grant them length of days, health of body, inspiration of mind, and

strength of will to strive ever harder in these difficult times to provide for our citizens the peace, the prosperity, the happiness, the freedom, and the equality which our forefathers envisioned for Your people when they founded this Nation nearly 200 years ago. Amen.

THE JOURNAL

The Journal of the proceedings of yesterday 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. Geisler, one of his secretaries, who also informed the House that on the following dates the President approved and signed bills and joint resolutions of the House of the following titles:

On October 7, 1970:

H.J. Res. 589. Joint resolution expressing the support of the Congress, and urging the support of Federal departments and agencies as well as other persons and organizations, both public and private, for the international biological program;

H.R. 14373. An act to authorize the Secretary of the Navy to convey to the city of Portsmouth, State of Virginia, certain lands situated within the Crawford urban renewal project (Va–53) in the city of Portsmouth, in exchange for certain lands situated within the proposed Southside neighborhood development project;

H.R. 17123. An act 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 authorize real estate acquisition and construction at certain installations in connection with the Safeguard anti-ballistic missile system, and to prescribe the authorized personnel strength of the Selected Reserve of each Reserve component of the Armed Forces, and for other purposes;

H.R. 18127. An act making appropriations for public works for water, pollution control, and power development, including the Corps of Engineers—Civil, the Panama Canal, the Federal Water Quality Administration, the Bureau of Reclamation, power agencies of the Department of the Interior, the Tennessee Valley Authority, the Atomic Energy Commission, and related independent agencies and commissions for the fiscal year ending June 30, 1971, and for other purposes; and

On October 8, 1970:

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, 1971, as "National Clown Week."

MESSAGE FROM THE SENATE

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

H.R. 2175. An act to amend title 18 of the United States Code to authorize the Attorney General to admit to residential community treatment centers persons who are placed on probation, released on parole, or mandatorily released;

H.R. 9164. An act to permit the use for any public purpose of certain real property in the State of Georgia;

H.R. 13307. An act to amend chapter 3 of title 16 of the District of Columbia Code to change the requirement of consent to the adoption of a person under twenty-one years of age;

H.R. 13601. An act to release and convey the reversionary interest of the United States in certain real property known as the McNary Dam Townsite, Umatilla County, Oreg.;

H.R. 15405. An act to render the assertion of land claims by the United States based upon accretion or avulsion subject to legal and equitable defenses to which private persons asserting such claims would be subject;

H.R. 17146. An act supplemental to the act of February 9, 1821, incorporating the Columbian College, now known as the George Washington University, in the District of Columbia and the Acts amendatory or supplemental thereof; and

H.J. Res. 1388. Joint resolution making further continuing appropriations for the fiscal year 1971, and for other purposes.

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

H.R. 670. An act to amend section 19(a) of the District of Columbia Public Assistance Act of 1962;

H.R. 4183. An act to provide that the widow of a retired officer or member of the Metropolitan Police Department or the Fire Department of the District of Columbia who married such officer or member after his retirement may qualify for survivor benefits;

H.R. 6114. An act for the relief of Elmer M. Grade;

H.R. 9017. An act to amend the District of Columbia Alcoholic Beverage Control Act;

H.R. 10634. An act to amend the Interstate Commerce Act and the Federal Aviation Act of 1958 in order to exempt certain wages and salaries of employees from withholding for income tax purposes under the laws of States or subdivisions thereof other than the State or subdivision of the employee's residence;

H.R. 12671. An act to amend the act of May 29, 1928, to facilitate and encourage the employment of minors in the District of Columbia between the ages of 14 and 16 during the summer and other school vacation periods, and for other purposes; and

H.R. 18086. An act to authorize the Commissioner of the District of Columbia to sell or exchange certain real property owned by the District in Prince William County, Va.

The message also announced that the Senate agrees to the amendments of the House to a bill and a joint resolution of the Senate of the following titles:

S. 30. An act relating to the control of organized crime in the United States; and

S.J. Res. 223. Joint resolution to authorize and request the President to issue annually a proclamation designating the month of January of each year as "National Blood Donor Month."

The message also announced that the Senate insisted on its amendment No. 1—already disagreed to by House—and agreed to the House amendments to Senate amendment No. 2, with an amendment, to the bill (H.R. 693) entitled "An act to amend title 38 of the United States Code to provide that veterans who are 72 years of age or older shall be deemed to be unable to defray the expenses of necessary hospital or domiciliary care, and for other purposes," and recedes from its amendment to the title of the foregoing bill.

The message also announced that the Senate agreed to the amendment of the House to the amendment of the Senate No. 2 to the bill (H.R. 9634) entitled "An act to amend title 38 of the United States Code in order to improve and make more effective the Veterans' Administration program of sharing specialized medical resources," and also agreed to the amendment of the House to the Senate amendment to the title of the bill.

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

S. 2695. An act to provide for the retirement of officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the Executive Protective Service, and of certain officers and members of the U.S. Secret Service, and for other purposes;

S. 3010. An act to authorize in the District of Columbia a program of public-day-care services;

S. 3940. An act for the relief of certain employees of the Department of Defense; and

S. 3944. An act to authorize the District of Columbia to enter into the Interstate Agreement on Qualification of Educational Personnel.

TRIBUTE TO THE REVEREND THOMAS G. FAHY

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

Mr. MINISH. Mr. Speaker, today my colleagues have had the opportunity to personally view the Reverend Thomas G. Fahy, Ph. D., who delivered the opening prayer in the House of Representatives.

Father Fahy, who was elected to the presidency of Seton Hall University in South Orange, N.J., will be formally inaugurated tomorrow as its 14th president. His selection as head of Seton Hall reflects the coming of age of the decision-by-consensus process on the university's campus. To elect a president, concerned faculty and students joined forces with administration and alumni representatives in forming a presidential search committee. After compiling four names which were submitted to the nominating committee of the board of trustees, the board chose Father Fahy unanimously.

Father Fahy was ordained to the priesthood in 1947. He is an alumnus of Seton Hall, from which he received his bachelor of arts degree in 1943. Thereafter he earned his M.A., and Ph. D. degrees in classical philology from Fordham University with a dissertation on the tragedies of Aeschylus.

After serving as an instructor in Greek and Latin at the Seton Hall Preparatory School, where he also held the title of director of athletics, he then joined the staff of Seton Hall University. He has been an assistant professor, an associate professor, and professor of classical languages, a director of athletics, as well as dean of men. From 1963 to 1970, he served as vice president of instruction. In that role, he was instrumental in upgrading faculty and instituting curriculum changes that have marked Seton Hall's forward thrust in the last decade.

Moreover, Father Fahy has given every indication that he wants the university community to participate as fully as possible in decisions affecting them. The present school year opened with a "town meeting" in Walsh Auditorium at which faculty students, administration, alumni,

and parents were free to raise any issue they wished.

Father Fahy is obviously a humanist, a scholar, and an able administrator. I believe that he is destined to leave his imprint not only on Seton Hall University, but on the larger community served by it.

ENVIRONMENTAL QUALITY EDUCATION ACT

Mr. PERKINS. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 18260) to authorize the U.S. Secretary of Health, Education, and Welfare to establish educational programs to encourage understanding of policies and support of activities designed to preserve and enhance environmental quality and maintain ecological balance, with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments as follows:

Strike out all after the enacting clause and insert:

That this Act may be cited as the "Environmental Quality Education Act".

STATEMENT OF FINDINGS AND PURPOSE

SEC. 2. (a) The Congress of the United States finds that the deterioration of the quality of the Nation's environment and of its ecological balance poses a serious threat to the strength and vitality of the people of the Nation and is in part due to poor understanding of the Nation's environment and of the need for ecological balance; that presently there do not exist adequate resources for educating and informing citizens in these areas, and that concerted efforts in educating citizens about environmental quality and ecological balance are therefore necessary.

(b) It is the purpose of this Act to encourage and support the development of new and improved curriculums to encourage understanding of policies, and support of activities designed to enhance environmental quality and maintain ecological balance; to demonstrate the use of such curriculums in model educational programs and to evaluate the effectiveness thereof; to encourage the development of educational processes directed toward increasing the awareness, concern, motivation, and training with respect to the total environment, natural and man-made, which will enable our citizens to improve the environment and better the quality of their lives; to disseminate information for use in educational programs throughout the Nation; to provide training programs for teachers, other educational personnel, public service personnel, and community, labor, and industrial and business leaders and employees, and government employees at State, Federal, and local levels; to provide for community education programs on preserving and enhancing environmental quality and maintaining ecological balance.

ENVIRONMENT EDUCATION

SEC. 3. (a) (1) There is established, within the Office of Education, an Office of Environmental Education (referred to in this section as the "Office") which, under the supervision of the Commissioner, shall be responsible for (A) the administration of the program authorized by subsection (b) and (B) the coordination of activities of the Office of Education which are related to environmental education. The Office shall be headed by a Director who shall be compensated at the rate prescribed for Grade GC–17 in section 5332 of title 5, United States Code.

(2) For the purposes of this section, the term "environmental education" means the educational process dealing with man's relationship with his natural and manmade surroundings, and includes the relation of population, pollution resource allocation and depletion, conservation, transportation, technology, and urban and rural planning to the total human environment.

(b) (1) The Commissioner shall carry out a program of making grants to, and contracts with, institutions of higher education, State and local educational agencies, regional educational research organizations, and other public and private educational institutions (including libraries and museums) to support research, demonstration, and pilot projects and operational programs designed to educate the public on the problems of environmental quality and ecological balance, except that no grant may be made other than to a nonprofit agency, organization, or institution.

(2) Funds appropriate for grants and contracts under this section shall be available for such activities as—

(A) the development of curriculums (including interdisciplinary curricula) in the preservation and enhancement of environmental quality and ecological balance;

(B) dissemination of information relating to such curricula and to environmental education, generally;

(C) preservice and inservice undergraduate and post-graduate training programs and projects (including fellowship programs, institutes, workshops, symposiums, and seminars) for educational personnel to prepare them to teach in subject matter areas associated with environmental quality and ecology;

(D) programs and projects designed to familiarize public service personnel, government employees, and business, labor, and industrial leaders and employees with the problems of environment and ecology and with the means by which such problems may be solved; and

(E) community education programs.

In addition to the activities specified in the first sentence of this paragraph, such funds may be used for projects designed to demonstrate, test, and evaluate the effectiveness of any such activities, whether or not assisted under this section.

(3) Financial assistance under this subsection may be made available only upon application to the Commissioner. Applications under this subsection shall be submitted at such time, in such form, and containing such information as the Commissioner shall prescribe by regulation and shall be approved only if it—

(A) provides that the activities for which assistance is sought will be administered by, or under the supervision of, the applicant;

(B) describes a program for carrying out one or more of the purposes set forth in the first sentence of paragraph (2) which holds promise of making a substantial contribution toward attaining the purposes of this section; and

(C) sets forth such policies and procedures as will insure adequate evaluation of the activities intended to be carried out under the application.

(c) (1) There is hereby establishd an Advisory Council on Environmental Quality Education consisting of twenty-one members appointed by the Secretary. The Secretary shall appoint one member as Chairman. The Council shall consist of persons appointed from the public and private sector with due regard to their fitness, knowledge, and experience in matters of, but not limited to, academic, scientific, medical, legal, resource conservation and production, urban and regional planning, and information media activities as they relate to our society and affect our environment, and shall give due consideration to geographical representation in the appointment of such members.

(2) The Council shall—

(A) advise the Commissioner and the Office concerning the administration of, preparation of general regulations for, and operation of programs assisted under this section;

(B) make recommendations to the Office with respect to the allocation of funds appropriated pursuant to subsection (d) among the purposes set forth in paragraph (2) of subsection (b) and the criteria to be used in approving applications, which criteria shall insure an appropriate geographical distribution of approved programs and projects throughout the Nation;

(C) develop criteria for the review of applications, and their disposition; and

(D) evaluate programs and projects assisted under this section and disseminate the results thereof.

(d) For the purpose of carrying out the provisions of this section, there is hereby authorized to be appropriated $6,000,000 for the fiscal year ending June 30, 1972, and $10,000,000 for each of the succeeding fiscal years ending prior to July 1, 1974.

TECHNICAL ASSISTANCE

SEC. 4. The Secretary of Health, Education, and Welfare, in cooperation with the heads of other agencies with relevant jurisdiction, shall, upon request, render technical assistance to local educational agencies, public and private organizations, institutions of higher education, agencies of local, State, and Federal Government and other agencies deemed by the Secretary to play a role in preserving and enhancing environmental quality and maintaining ecological balance. The technical assistance shall be designed to enable the recipient agency to carry on education programs which are related to environmental quality and ecological balance.

Amend the title so as to read: "An Act to authorize the United States Commissioner of Education to establish education programs to encourage understanding of policies, and support of activities, designed to enhance environmental quality and maintain ecological balance."

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

Mr. HALL. Mr. Speaker, reserving the right to object, I would ask the distinguished gentleman from Kentucky if he intends to take time, either under this reservation or otherwise, to explain this rather lengthy statement of policy of the Congress on the part of the other body?

Mr. PERKINS. I will be delighted to explain.

Mr. Speaker, the Senate amendment struck all of the language of the House-passed bill after the enacting clause and substituted a new text. With the exception of minor technical and stylistic differences, the substantive differences between the Senate amendment and the House-passed bill, together with the resolution of those differences by the proposed amendment to the Senate amendment, are as follows:

First. The Senate amendment vested primary administrative control of the grant program in the Office of Environmental Education under the Commissioner, requiring that the post be at the grade GS–17. The House-passed bill placed administrative control of the program in the Secretary. The proposed amendment would place administration of the program in the U.S. Office of Education in an Office of Environmental Education, the head of which could not be a grade above GS–17.

Second. The House-passed bill required non-Federal matching. The Senate

amendment did not. The proposed amendment restores the matching feature contained in the House-passed bill.

Third. The House-passed bill authorized a small grant program. The Senate amendment did not. The proposed amendment would retain this feature of the House-passed bill.

Fourth. The House-passed bill would have started the program in fiscal year 1971 with a $5 million authorization which increased to $15 million for fiscal year 1972 and $25 million for 1973. The Senate amendment contained no authorization for fiscal year 1971, and authorized $6 million for fiscal year 1972, $10 million for fiscal year 1973 and $10 million for fiscal year 1974. The proposed amendment would adopt the provisions of the House-passed bill.

Fifth. The House-passed bill authorized training programs not only for teachers and other education related personnel but also community, labor, industrial, and business leaders and employees and government employees at State, Federal, and local levels. The Senate amendment limited training programs to education personnel. The proposed amendment would adopt substantively features of the House-passed bill.

Sixth. The House-passed bill would have authorized grants and contracts for community education programs on environmental quality and the preparation and distribution of materials suitable for use by mass media in dealing with environment and ecology. The Senate amendment contained neither of these features. The proposed amendment includes these provisions of the House-passed bill.

Seventh. Both the House-passed bill and the Senate amendment made provision for an Advisory Council on Environmental Quality Education. The House bill but not the Senate amendment required that the Council shall consist of not less than three ecologists and three students. This language is retained in the proposed amendment.

Eighth. The House-passed bill limited supporting environmental education programs to the elementary and secondary level. The Senate amendment broadened it to include such education in institutions of higher education. The proposed amendment retains the provisions of the House-passed bill.

Mr. HALL. Mr. Speaker, further reserving the right to object, I will ask the distinguished Chairman of the Committee on Education and Labor if the proposed House amendment, in lieu of concurring with the amendments of the other body, does vest control in the Secretary of the Department of Health, Education, and Welfare, and keep its Director at a GS–17 level.

Mr. PERKINS. That is correct.

Mr. HALL. Mr. Speaker, I will ask further if this recommendation and the proposed amendment has been cleared with the minority side.

Mr. PERKINS. It has been cleared with members on the minority side. There has been no objection from the minority. I regret to say that I did not take it up with the leadership, but the leadership on our side and on the minority side are well aware of this action, and there is no objection.

Mr. HALL. Mr. Speaker, I withdraw my reservation.

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

There was no objection.

Mr. REID of New York. Mr. Speaker, I wish merely to compliment the distinguished chairman for his clear presentation of the several changes now proposed in the Environmental Quality Education Act. It is important to emphasize that the essential purpose of this bill remains unchanged; namely, to make environmental education a basic element of the curriculum in our elementary and secondary schools and in adult community education programs.

Included in the bill is an important provision recommended by the Audubon Society providing for the planning of outdoor ecological study centers.

For the record, I would like to indicate that the administration has stated, through a letter from Secretary Richardson, to me that—

> We are in accord with the bill's objectives and do not oppose its enactment.

This relates both to the House-passed version of the bill and to the compromise now before us.

Mr. BRADEMAS. Mr. Speaker, the gentleman from Kentucky (Mr. PERKINS), the distinguished chairman of the Committee on Education and Labor, has just described the differences between the Senate amendment to H.R. 18260 and the modification of that amendment now proposed to the House.

Mr. Speaker, as sponsor of the Environmental Education Act together with my distinguished colleagues, the gentlemen from New York, Messrs. SCHEUER and OGDEN REID, and the gentleman from Idaho (Mr. HANSEN), all of whom, together with the distinguished Senator from Wisconsin, the Honorable GAYLORD NELSON, are due many thanks for their contributions to this significant legislation, I would like to make this observation.

Essentially, Mr. Speaker, there is little difference between the proposed modification and the original bill which passed this House by a vote of 289 to 28 on August 3, 1970. Indeed, I am quite pleased that in discussions between Members of the House and Senate who have been keenly interested in this measure that much of the original House bill was retained.

I am also pleased that we incorporated the House provision allowing small grants to be given to citizens' groups, volunteer organizations working in the environmental field, and other public and private nonprofit agencies for innovative programs of environmental education.

In my remarks on the floor at the time this bill was originally passed, I said:

> The bill, as presently written, offers the opportunity for a variety of non-establishment programs which will not suffer from the inevitable restrictions found in formal educational institutions.

I believe, Mr. Speaker, that the small grants program offers exciting possibilities for new approaches to environmental education.

Mr. Speaker, there is one other point that I want to make clear. The Senate bill, as originally passed, established an Office of Environmental Education within the Office of Education to be headed by a Director at the GS–17 level. For a number of reasons, the administration raised objections to this provision and the House responded by lowering the case of the letters describing the Office of Environmental Education and by inserting language which provided that the Director of the Office was to be compensated at a rate "not to exceed that of a GS–17."

It should be noted by officials at the Office of Education that the action by the House in making the changes I have just described does not indicate that the House would tolerate burying the new Office of Environmental Education within one of the various bureaus of the Office of Education where it will receive little focus. It is the clear intention of the House that activities in environmental education be coordinated chiefly under the control of the new Office of Environmental Education and that the Office have a prominence within the Office of Education which will insure that it has the authority effectively to carry out the programs authorized by this act.

I make this point only to assure the Office of Education that in the future review of this program, Congress will exercise diligence to make very certain that the Office of Environmental Education will not become merely a powerless group located within the sprawling Office of Education bureaucracy.

Mr. Speaker, I believe that the environmental education bill we are passing today is an historic measure for all concerned with meeting the challenges to the quality of the environment and that it can set the pace for new directions in American education. Its ultimate benefit, however, will depend upon how effectively it is administered by the Office of Education.

Mr. Speaker, let me here take a moment to summarize the principal provisions of the Environmental Education Act. This legislation would provide up to $45 million over the next 3 fiscal years for: developing materials for teaching environmental studies; preservice and inservice training programs for teachers, other educational personnel, community, business, labor, and industrial leaders, and government employees at all levels of government; support of programs in environmental education at the elementary and secondary school levels; adult and community education programs; preparation and distribution of materials on the environment and ecology for use by the mass media; and the planning of outdoor ecological study centers.

Mr. Speaker, although we are now in the midst of a severe environmental crisis in this country, our educational system is poorly equipped to teach about the fundamentals of man's relationship to his natural and manmade environment. We want future generations to be able to prevent the ecological problems caused by smog, water pollution, and the

other contaminants now poisoning our atmosphere.

We have already waited too long.

The bill we pass today makes provision for what one witness called education for survival. As the committee report noted:

Environmental education is not simply another name for conservation education; it is much more. Environmental education is an umbrella term which may include approaches and materials from the natural sciences, the social sciences, and the humanities coordinated into a total view of man's relationship with his surroundings.

I believe that the new authority created by this bill, if utilized seriously by the Office of Education, can determine whether we are going to have a citizenry informed and educated about the whole spectrum of issues that we have come to call environmental and can have a profound effect on our basic attitudes toward the environment and man's place in it.

MOTION OFFERED BY MR. PERKINS

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

The Clerk read as follows:

Mr. PERKINS moves to concur in the Senate amendments with an amendment as follows:

"In lieu of the matter inserted by the Senate amendments, insert the following:

"That this Act may be cited as the "Environmental Education Act".

"'STATEMENT OF FINDINGS AND PURPOSE

"'SEC. 2. (a) The Congress of the United States finds that the deterioration of the quality of the Nation's environment and of its ecological balance poses a serious threat to the strength and vitality of the people of the Nation and is in part due to poor understanding of the Nation's environment and of the need for ecological balance; that presently there do not exist adequate resources for educating and informing citizens in these areas, and that concerted efforts in educating citizens about environmental quality and ecological balance are therefore necessary.

"'(b) It is the purpose of this Act to encourage and support the development of new and improved curricula to encourage understanding of policies, and support of activities designed to enhance environmental quality and maintain ecological balance; to demonstrate the use of such curricula in model educational programs and to evaluate the effectiveness thereof; to provide support for the initiation and maintenance of programs in environmental education at the elementary and secondary levels; to disseminate curricular materials and other information for use in educational programs throughout the Nation; to provide training programs for teachers, other educational personnel, public service personnel, and community, labor, and industrial and business leaders and employees, and government employees at State, Federal, and local levels; to provide for the planning of outdoor ecological study centers; to provide for community education programs on preserving and enhancing environmental quality and maintaining ecological balance; and to provide for the preparation and distribution of materials by mass media in dealing with the environment and ecology.

"'ENVIRONMENTAL EDUCATION

"'SEC. 3. (a) (1) There is established, within the Office of Education, an office of environmental education (referred to in this section as the "office") which, under the supervision of the Commissioner, through regulations promulgated by the Secretary, shall be responsible for (A) the administration of the program authorized by subsection (b) and (B) the coordination of activities of the Office of Education which are related to environmental education. The office shall be headed by a Director who shall be compensated at a rate not to exceed that prescribed for grade GS-17 in section 5332 of title 5, United States Code.

"'(2) For the purposes of this Act, the term "environmental education" means the educational process dealing with man's relationship with his natural and manmade surroundings, and includes the relation of population, pollution, resource allocation and depletion, conservation, transportation, technology, and urban and rural planning to the total human environment.

"'(b) (1) The Commissioner shall carry out a program of making grants to, and contracts with, institutions of higher education, State and local educational agencies, regional educational research organizations, and other public and private agencies, organizations, and institutions (including libraries and museums) to support research, demonstration, and pilot projects designed to educate the public on the problems of environmental quality and ecological balance, except that no grant may be made other than to a nonprofit agency, organization, or institution.

"'(2) Funds appropriated for grants and contracts under this section shall be available for such activities as—

"'(A) the development of curricula (including interdisciplinary curricula) in the preservation and enhancement of environmental quality and ecological balance;

"'(B) dissemination of information relating to such curricula and to environmental education, generally;

"'(C) in the case of grants to State and local educational agencies, for the support of environmental education programs at the elementary and secondary education levels;

"'(D) preservice and inservice training programs and projects (including fellowship programs, institutes, workshops, symposiums, and seminars) for educational personnel to prepare them to teach in subject matter areas associated with environmental quality and ecology, and for public service personnel, government employees, and business, labor, and industrial leaders and employees;

"'(E) planning of outdoor ecological study centers;

"'(F) community education programs on environmental quality, including special programs for adults; and

"'(G) preparation and distribution of materials suitable for use by the mass media in dealing with the environment and ecology.

In addition to the activities specified in the first sentence of this paragraph, such funds may be used for projects designed to demonstrate, test, and evaluate the effectiveness of any such activities, whether or not assisted under this section.

"'(3) (A) Financial assistance under this subsection may be made available only upon application to the Commissioner. Applications under this subsection shall be submitted at such time, in such form, and containing such information as the Secretary shall prescribe by regulation and shall be approved only if it—

"'(i) provides that the activities and services for which assistance is sought will be administered by, or under the supervision of, the applicant;

"'(ii) describes a program for carrying out one or more of the purposes set forth in the first sentence of paragraph (2) which holds promise of making a substantial contribution toward attaining the purposes of this section;

"'(iii) sets forth such policies and procedures as will insure adequate evaluation of the activities intended to be carried out under the application;

"'(iv) sets forth policies and procedures which assure that Federal funds made available under this Act for any fiscal year will be so used as to supplement and, to the extent practical, increase the level of funds that would, in the absence of such Federal funds, be made available by the applicant for the purposes described in section 3, and in no case supplant such funds.

"'(v) provides for such fiscal control and funds accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the applicant under this title; and

"'(vi) provides for making an annual report and such other reports, in such form and containing such information, as the Commissioner may reasonably require and for keeping such records, and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

"'(B) Applications from local educational agencies for financial assistance under this Act may be approved by the Commissioner only if the State educational agency has been notified of the application and been given the opportunity to offer recommendations.

"'(C) Amendments of applications shall, except as the Secretary may otherwise provide by or pursuant to regulation, be subject to approval in the same manner as original applications.

"'(4) Federal assistance to any program or project under this section, other than those involving curriculum development, dissemination of curricular materials, and evaluation, shall not exceed 80 per centum of the cost of such program for the first fiscal year of its operation, including costs of administration, unless the Commissioner determines, pursuant to regulations adopted and promulgated by the Secretary establishing objective criteria for such determinations, that assistance in excess of such percentages is required in furtherance of the purposes of this section. The Federal share for the second year shall not exceed 60 per centum, and for the third year 40 per centum. Non-Federal contributions may be in cash or kind, fairly evaluated, including but not limited to plant, equipment, and services.

"'(c) (1) There is hereby established an Advisory Council on Environmental Education consisting of twenty-one members appointed by the Secretary. The Secretary shall appoint one member as Chairman. The Council shall consist of persons appointed from the public and private sector with due regard to their fitness, knowledge, and experience in matters of, but not limited to, academic, scientific, medical, legal, resource conservation and production, urban and regional planning, and information media activities as they relate to our society and affect our environment, and shall give due consideration to geographical representation in the appointment of such members: *Provided*, however, That the Committee shall consist of not less than three ecologists and three students.

"'(2) The Council shall—

"'(A) advise the Commissioner and the office concerning the administration of, preparation of general regulations for, and operation of programs assisted under this section;

"'(B) make recommendations to the office with respect to the allocation of funds appropriated pursuant to subsection (d) among the purposes set forth in paragraph (2) of subsection (b) and the criteria to be used in approving applications, which criteria shall insure an appropriate geographical distribution of approved programs and projects throughout the Nation;

"'(C) develop criteria for the review of applications and their disposition; and

"'(D) evaluate programs and projects assisted under this section and disseminate the results thereof.

"'TECHNICAL ASSISTANCE

"'SEC. 4. The Secretary of Health, Education, and Welfare, in cooperation with the heads of other agencies with relevant jurisdiction, shall, insofar as practicable upon request, render technical assistance to local educational agencies, public and private nonprofit organizations, institutions of higher education, agencies of local, State, and Federal governments and other agencies deemed by the Secretary to play a role in preserving and enhancing environmental quality and maintaining ecological balance. The technical assistance shall be designed to enable the recipient agency to carry on education programs which are related to environmental quality and ecological balance.

"'SMALL GRANTS

"'SEC. 5. (a) In addition to the grants authorized under section 3, the Commissioner, from the sums appropriated, shall have the authority to make grants, in sums not to exceed $10,000 annually, to nonprofit organizations such as citizens' groups, volunteer organizations working in the environmental field, and other public and private nonprofit agencies, institutions, or organizations for conducting courses, workshops, seminars, symposiums, institutes, and conferences, especially for adults and community groups (other than the group funded).

"'(b) Priority shall be given to those proposals demonstrating innovative approaches to environmental education.

"'(c) For the purposes of this section, the Commissioner shall require evidence that the interested organization or group shall have been in existence one year prior to the submission of a proposal for Federal funds and that it shall submit an annual report on Federal funds expended.

"'(d) Proposals submitted by organizations and groups under this section shall be limited to the essential information required to evaluate them, unless the organization or group shall volunteer additional information.

"'ADMINISTRATION

"'SEC. 6. In administering the provisions of this Act, the Commissioner is authorized to utilize the services and facilities of any agency of the Federal Government and of any other public or private agency or institution in accordance with appropriate agreements, and to pay for such services either in advance or by way of reimbursement, as may be agreed upon. The Commissioner shall publish annually a list and description of projects supported under this Act and shall distribute such list and description to interested educational institutions, citizens' groups, conservation organizations, and other organizations and individuals involved in enhancing environmental quality and maintaining ecological balance.

"'AUTHORIZATION

"'SEC. 7. There is authorized to be appropriated $5,000,000 for the fiscal year ending June 30, 1971, $15,000,000 for the fiscal year ending June 30, 1972, and $25,000,000 for the fiscal year ending June 30, 1973, for carrying out the purposes of this Act.'

"Amend the title so as to read: 'An Act to authorize the United States Commissioner of Education to establish education programs to encourage understanding of policies, and support of activities, designed to enhance environmental quality and maintain ecological balance.'"

Mr. PERKINS (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the motion be dispensed with and that it be printed in the RECORD.

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

There was no objection.

The motion was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. PERKINS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of the motion just agreed to.

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

There was no objection.

INCREASING PER DIEM ALLOWANCE IN LIEU OF SUBSISTENCE FOR MEMBERS OF AMERICAN BATTLE MONUMENTS COMMISSION WHEN IN A TRAVEL STATUS

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 18731) to increase from $20 to $40 per day the per diem allowance authorized in lieu of subsistence for members of the American Battle Monuments Commission when in a travel status, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Page 1, lines 9 and 10, strike out "by deleting therefrom '$20' and inserting in lieu thereof '$40'." and insert "to read as follows:

"'The members of the Commission shall serve as such without compensation, except that (1) their actual expenses in connection with the work of the Commission, (2) when in a travel status outside the continental United States, a per diem of $40 in lieu of subsistence, and (3) when in a travel status within the continental United States, a per diem at the same rate authorized to be paid under section 5703(c)(1) of title 5, United States Code, may be paid to them from any funds appropriated for the purposes of this Act, or acquired by other means hereinafter authorized.'

Amend the title so as to read: "An Act to revise the per diem allowance authorized for members of the American Battle Monuments Commission when in a travel status."

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

Mr. TEAGUE of California. Reserving the right to object, Mr. Speaker, I do not object, but I do request the gentleman from Texas to make a brief explanation for the RECORD at this point.

Mr. TEAGUE of Texas. Mr. Speaker, the bill H.R. 18731, as passed by the House, authorized a per diem for members of the American Battle Monuments Commission of $40 a day. The Senate has amended the bill to retain this figure but has provided that for travel within the United States, the rate shall be $25 and when overseas $40.

Mr. TEAGUE of California. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

RELATING TO STATEMENTS BY VETERANS OF INABILITY TO PAY COSTS OF CARE IN VETERANS' ADMINISTRATION HOSPITALS

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 693) to amend title 38 of the United States Code to provide that veterans who are 72 years of age or older shall be deemed to be unable to defray the expenses of necessary hospital or domiciliary care, and for other purposes, with the Senate amendments to the House amendments to the Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments to the House amendments to the Senate amendments, as follows:

In lieu of the matter proposed by the House amendment to the Senate amendment No. 2 insert the following:

On page 2 of the Senate engrossed amendments, strike out lines 1 and 2, and insert in lieu thereof the following:

On page 2 of the House engrossed bill, beginning with the word "served" in line 23, strike out all down through line 16 on page 3, and insert in lieu thereof the following: "is sixty-five years of age or older."

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

Mr. TEAGUE of California. Mr. Speaker, reserving the right to object, again I would ask the gentleman from Texas to offer a brief explanation, and I yield to the gentleman from Texas for that purpose.

Mr. TEAGUE of Texas. Mr. Speaker, when the House passed H.R. 693 on June 2, 1969, it provided:

First. That a veteran who is 72 years of age or older will no longer be required to sign a statement of inability to defray necessary hospital or domiciliary expenses to gain admission to a VA hospital or domiciliary for treatment of a non-service-connected disability.

Second. Authorize furnishing of outpatient care and such other medical services as are reasonably necessary to any veteran who is in receipt of pension or compensation based on need of regular aid and attendance of another person, or who is permanently housebound.

Third. Permit the Veterans' Administration to furnish drugs and medication to veterans who are receiving the housebound rate of compensation or pension. Existing law permits furnishing of drugs and medication to those in receipt of the aid and attendance rate.

Fourth. Extend eligibility for medical care for non-service-connected disabilities to veterans who served on the Mexican border during the period beginning May 9, 1916, and ending April 6, 1917.

The Senate, in passing the bill on October 21, 1969, amended the proposal by writing into the bill what is already VA policy; namely, that receipt of pension from the Veterans' Administration

shall constitute sufficient evidence of inability to pay as to permit the veteran to be admitted without making any statement regarding his ability to pay the cost of hospitalization. Veterans' Administration regulation today assumes that any person who is drawing pension is in need of hospital care and eligible for such insofar as economic factors are involved.

The Senate amendment also removed the proposed eligibility of Mexican border veterans for medical care.

On May 4, 1970, the House accepted the Senate amendments which restored the bill by providing that every applicant who is 72 years of age or older will no longer be required to sign any statement of inability to pay for hospitalization when he applies for admission to a Veterans' Administration hospital. The House also provided on that date restoration of the medical care feature for Mexican border veterans which had been stricken by the Senate action.

On October 12, 1970, the Senate accepted part of the amended House bill but refused to go along with medical care for veterans who served on the Mexican border in the period immediately preceding World War I. The Senate did, however, propose language which, in effect, says that anyone who is age 65 or over may receive care in a Veterans' Administration hospital without the necessity of signing a statement of inability to defray necessary hospital or medical care.

Mr. Speaker, I regret the action of the Senate with regard to the Mexican border veterans but due to the lateness of the session, I urge the acceptance of the Senate action so that this measure can be submitted to the White House.

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

Mr. TEAGUE of California. I yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, do I understand the Senate amendment or the amendment to be offered by the gentleman from Texas, the chairman of the Committee on Veterans' Affairs, will give presumptive evidence of the inability to pay for certain Veterans' Administration care for all veterans 65 years or over just by virtue of attaining that year of age?

Mr. TEAGUE of Texas. That is exactly correct.

Mr. HALL. In lieu of the House-passed version, setting it at 72 years of age?

Mr. TEAGUE of Texas. That is correct.

Mr. HALL. Does the gentleman not consider that this is of considerable import as far as cost to the Veterans' Administration is concerned?

Mr. TEAGUE of Texas. It is not. There is very little change in cost.

Mr. HALL. Mr. Speaker, I thank the gentleman.

Mr. TEAGUE of California. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

Mr. SAYLOR. Mr. Speaker, I rise in support of the gentleman's motion to accept the Senate amendments to H.R. 693.

H.R. 693, as it initially passed the House, contained provisions that eliminated the so-called pauper's oath in the case of a veteran age 72 years or older seeking admission to a Veterans' Administration hospital for treatment of a nonservice connected condition. The other body proceeded to amend the bill by eliminating the pauper's oath only in the case of those veterans who were entitled to pension benefits.

Unfortunately, this limitation was not acceptable to the House. Now, after further consideration the bill has been amended in a form that is acceptable to both bodies. By supporting the gentleman's motion, we will have sent to the President a bill that eliminates the so-called pauper's oath in the case of any veteran who is 65 years of age or older or any younger veteran if he is in receipt of monthly pension benefits.

This legislation, Mr. Speaker, has considerable merit and it is long overdue. It is patently ridiculous to permit any citizen to enter the hospital of his choice if he is eligible for medicare benefits with no questions asked about his income. Yet, an older veteran, in seeking admission to a Veterans' Administration hospital for treatment of conditions unrelated to his military service, must disclose his intimate financial details and certify that he is unable to afford the costs of hospitalization. The older veterans of this Nation deserve better consideration and this bill will afford it. I urge that it be passed.

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves that the House recede from its disagreement to Senate amendment No. 1 and concur therein.

The motion was agreed to.

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves to concur in the Senate amendments to the House amendments to Senate amendment No. 2.

The motion was agreed to.

A motion to reconsider was laid on the table.

VETERANS HOUSING ACT OF 1970

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 16710) to amend chapter 37 of title 38, United States Code, to remove the time limitations on the use of entitlement of 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, with Senate amendments thereto, and consider the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Strike out all after the enacting clause and insert:

That this Act may be cited as the "Veterans' Housing Act of 1970".

SEC. 2. (a) Section 1802(b) of title 38, United States Code, is amended by striking out the last sentence thereof.

(b) Section 1803 of such title is amended by striking out subsection (a) and inserting in lieu thereof the following:

"(a)(1) Any loan to a World War II or Korean conflict veteran, if made for any of the purposes, and in compliance with the provisions, specified in this chapter is automatically guaranteed by the United States in an amount not more than 60 percentum of the loan if the loan is made for any of the purposes specified in section 1810 of this title and not more than 50 per centum of the loan if the loan is for any of the purposes specified in section 1812, 1813, or 1814 of this title.

"(2) Any unused entitlement of World War II or Korean conflict veterans which expired under provisions of law in effect prior to the date of enactment of the Veterans' Housing Act of 1970 is hereby restored and shall not expire until used."

(c) Subsection (b) of such section 1803 is amended by striking out "1810 and 1811" and inserting in lieu thereof "1810, 1881, and 1819".

(d) Subsection (b) of section 1804 of such title is amended by striking out "The" and inserting in lieu thereof "Subject to notice and opportunity for a hearing, the"; and subsection (d) of such section is amended by striking out "Whenever" and inserting in lieu thereof "Subject to notice and opportunity for a hearing, wherever".

(e) Section 1818 of such title is amended by striking out subsections (c), (d), and (e) and inserting in lieu thereof the following:

"(c) Notwithstanding the exception in subsection (a) of this section, entitlement derived under such subsection (a) shall include eligibility for any of the purposes specified in sections 1813 and 1815, and business loans under section 1814 of this title, if (1) the veteran previously derived entitlement to the benefits of this chapter based on service during World War II or the Korean conflict, and (2) he has not used any of his entitlement derived from such service.

"(d) Any entitlement to the benefits of this section which had not expired as of the date of enactment of the Veterans' Housing Act of 1970 and any entitlement to such benefits accruing after such date shall not expire until used."

SEC. 3. Section 1810 of title 38, United States Code, is amended by—

(1) adding the following new clause after clause (4) of subsection (a):

"(5) To refinance an existing mortgage loan which is secured of record on a dwelling or farm residence owned and occupied by him as his home. Nothing in this chapter shall preclude a veteran from paying to a lender any discount required by such lender in connection with such refinancing."; and

(2) adding at the end of that section the following new subsection:

"(d) Nothing in this chapter shall be deemed to preclude the guaranty of a loan to an eligible veteran to purchase a one-family residential unit to be owned and occupied by him as a home in a condominium housing development or project as to which the Secretary of Housing and Urban Development has issued, under section 234 of the National Housing Act, as amended (12 U.S.C. 1715y), evidence of insurance on at least one loan for the purchase of a one-family unit. The Administrator shall guarantee loans to veterans on such residential units when such loans meet those requirements of this chapter which he shall, by

regulation, determine to be applicable to such loans."

SEC. 4. Section 1811 of title 38, United States Code, is amended—

(1) by striking out "1810" in subsections (a) and (b) and inserting in lieu thereof: "1810 or 1819";

(2) by striking out the second sentence of subsection (b) and inserting in lieu thereof the following: "He shall, with respect to any such area, make, or enter into commitments to make, to any veteran eligible under this title, a loan for any or all of the purposes described in section 1810(a) or 1819 of this title.";

(3) by striking out "1810 of this title" in subsections (c)(1) and (g) and inserting in lieu thereof "1810 or 1819 of this title, as appropriate";

(4) by striking out "The" in subsection (d)(2) and inserting in lieu thereof "(A) Except for any loan made under this chapter for the purposes described in section 1819 of this title, the";

(5) by inserting immediately after subsection (d)(2) (as amended by clause (4) above) the following new paragraph:

"(B) The original principal amount of any loan made under this section for the purposes described in section 1819 of this title shall not exceed the amount specified by the Administrator pursuant to subsection (d) of such section."; and

(6) by striking out subsections (h), (i), and (j) and inserting in lieu thereof the following:

"(h) The Administrator may exempt dwellings constructed through assistance provided by this section from the minimum land planning and subdivision requirements prescribed pursuant to subsection (a) of section 1804 of this title, and with respect to such dwellings may prescribe special minimum land planning and subdivision requirements which shall be in keeping with the general housing facilities in the locality but shall require that such dwellings meet minimum requirements of structural soundness and general acceptability.

"(i) The Administrator is authorized, without regard to the provisions of subsections (a), (b), and (c) of this section, to make or enter into a commitment to make a loan to any veteran to assist the veteran in acquiring a specially adapted housing unit authorized under chapter 21 of this title, if the veteran is determined to be eligible for the benefits of such chapter 21, and is eligible for loan guaranty benefits under this chapter.

"(j)(1) If any builder or sponsor proposes to construct one or more dwellings in a housing credit shortage area, or in any area for a veteran who is determined to be eligible for assistance in acquiring a specially adapted housing unit under chapter 21 of this title, the Administrator may enter into commitment with such builder or sponsor, under which funds available for loans under this section will be reserved for a period not in excess of three months, or such longer period as the Administrator may authorize to meet the needs in any particular case, for the purpose of making loans to veterans to purchase such dwellings. Such commitment may not be assigned or transferred except with the written approval of the Administrator. The Administrator shall not enter into any such commitment unless such builder or sponsor pays a nonrefundable commitment fee to the Administrator in an amount determined by the Administrator, not to exceed 2 per centum of the fund reserved for such builder or sponsor.

"(2) Whenever the Administrator finds that a dwelling with respect to which funds are being reserved under this subsection has been sold, or contracted to be sold, to a veteran eligible for a direct loan under this section, the Administrator shall enter into a commitment to make the veteran a loan for the purchase of such dwelling. With respect to any loan made to an eligible veteran under this subsection, the Administrator may make advances during the construction of the dwelling, up to a maximum in advances of (A) the cost of the land plus (B) 80 per centum of the value of the construction in place."

SEC. 5. (a) Subchapter II of chapter 37 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 1819. Loans to purchase mobile homes and mobile home lots

"Eligibility for Loan Guaranty

"(a) Notwithstanding any other provision of this chapter, any veteran eligible for loan guaranty benefits under this chapter who has maximum home loan guaranty entitlement available for use shall be eligible for the mobile home loan guaranty benefit under this section. Use of the mobile home loan guaranty benefit shall preclude the use of any home loan guaranty entitlement under any other section of this chapter until the mobile home loan guaranteed under this section has been paid in full or the security has been disposed of to a transferee and the Administrator, after determining that such requirements of section 1817 of this title as he determines, by regulation, to be applicable have been met, has released the veterans from all further liability to the Administrator with respect to such loan.

"Lot and Site Preparation

"(b) Subject to the limitation in subsection (d) of this section, a loan to purchase a mobile home under this section may include (or be augmented by a separate loan for) (1) an amount to finance the acquisition of a lot on which to place such home, and (2) an additional amount to pay expenses reasonably necessary for the appropriate preparation of such a lot, including, but not limited to, the installation of utility connections, sanitary facilities and paving, and the construction of a suitable pad, provided a first lien on such lot is obtained for the total loan amount.

"Automatic Guarantee of Certain Loans

"(c)(1) Any loan made to a veteran eligible under subsection (a) of this section, if made pursuant to the provisions of this chapter, by a lender of a class specified in the first sentence of section 1802(d) of this title, shall be automatically guaranteed by the Administrator if the loan is for the purpose of purchasing a new mobile home or if the loan is for the purchase of a used mobile home and such used mobile home is the security for a prior loan guaranteed under this section or is the security for a loan guaranteed or insured by another Federal agency. Any loan to be made for such purpose by a lender not specified in the first sentence of section 1802(d) of this title shall be submitted to the Administrator for approval prior to loan closing.

"Prior Approval of Certain Loans

"(2) Upon determining that a loan submitted for prior approval is eligible for guaranty under this section, the Administrator shall issue a commitment to guarantee such loan and shall thereafter guarantee the loan when made if such loan qualifies therefor in all respects.

"Payment of Loan Guaranty

"(3) The Administrator's guaranty shall not exceed 30 per centum of the loan, including any amount for lot acquisition and site preparation, and payment of such guaranty shall be made only after liquidation of the security for the loan and the filing of an accounting with the Administrator. In such accounting the Administrator shall allow the holder of the loan to charge against the liquidation or resale proceeds accrued unpaid interest to such cutoff date as the Administrator may establish and such costs and expenses as he determines to be reasonable and proper.

"Loan Guaranty Limitations

"(d)(1) The Administrator shall establish a loan maximum for each type of loan authorized by this section. In the case of a new mobile home, the Administrator may establish a maximum loan amount based on the manufacturer's invoice cost to the dealer and such other cost factors as the Administrator considers proper to take into account. In the case of a used mobile home, the Administrator shall establish a maximum loan amount based on his determination of the reasonable value of the property. In the case of any lot on which to place a mobile home financed through the assistance of this section and for the necessary site preparation, the loan amount shall not be increased by an amount in excess of the reasonable value of such lot or site preparation or both, as determined by the Administrator.

"(2) The maximum permissible loan amount and the term for which the loan is made shall not exceed—

"(A) $10,000 for twelve years and thirty-two days in the case of a loan covering the purchase of a mobile home only, or

"(B) $15,000 (but not to exceed $5,000 for lot acquisition) for fifteen years and thirty-two days in the case of a loan covering the purchase of a mobile home and a suitable lot on which to place such home, and

such additional amount as is determined by the Administrator to be appropriate to cover the cost of necessary site preparation. Such limitations on the amount and term of any loan, however, shall not be deemed to preclude the Administrator, under regulations which he shall prescribe, from consenting to necessary advances for the protection of the security or the holder's lien, or to a reasonable extension of the term or reamortization of a loan.

"LOAN GUARANTY REQUIREMENTS

"(e) No loan shall be guaranteed under this section unless—

"(1) the loan is repayable in approximately equal monthly installments;

"(2) the terms of repayment bear a proper relationship to the veteran's present and anticipated income and expenses, and the veteran is a satisfactory credit risk, taking into account the purpose of this program to make available lower cost housing to low and lower income veterans, especially those who have been recently discharged or released from active military, naval, or air service, who may not have previously established credit ratings;

"(3) the loan is secured by a first lien on the mobile home and any lot acquired or improved with the proceeds of the loan;

"(4) the amount of the loan, subject to the maximums established in subparagraph (d) of this section, is not in excess of the maximum amount prescribed by the Administrator;

"(5) the veteran certifies, in such form as the Administrator shall prescribe, that he will personally occupy the property as his home;

"(6) the mobile home is or will be placed on a site which meets specifications which the Administrator shall establish by regulation; and

"(7) the interest rate to be charged on the loan does not exceed the permissible rate established by the Administrator.

"Interest Rate

"(f) The Administrator shall establish such rate of interest for mobile home loans as he determines to be necessary in order to assure a reasonable supply of mobile home loan financing for veterans under this section.

"Restoration of Entitlement

"(g) Entitlement to the loan guaranty benefit used under this section may be restored a single time for any veteran by the Administrator provided the first loan has been repaid in full or the security has been disposed of to a transferee and the Administrator, after determining that such requirements of section 1817 of this title as he determines, by regulation, to be applicable have been met, has released the veteran from all further liability to the Administrator.

"Regulations

"(h) The Administrator shall promulgate such regulations as he determines to be necessary or appropriate in order to fully implement the provisions of this section, and such regulations shall specify which provisions in other sections of this chapter he determines should be applicable to loans guaranteed under this section. The Administrator shall have such powers and responsibilities in respect to matters arising under this section as he has in respect to loans made or guaranteed under other sections of this chapter.

"Quality Standards

"(i) No loan for the purchase of a mobile home shall be financed through the assistance of this section unless the mobile home and lot, if any, meet or exceed standards for planning, construction, and general acceptability as prescribed by the Administrator. Such standards shall be designed to encourage the maintenance and development of sites for mobile homes which will be attractive residential areas and which will be free from, and not substantially contribute to, adverse scenic or environmental conditions. Standards prescribed by the Administrator relating to scenic and environmental conditions shall be developed by the Administrator in consultation with the Secretary of Housing and Urban Development and with representatives of other appropriate Federal, State, and local agencies or instrumentalities, taking into consideration the particular or unique conditions or physical characteristics which may exist in any geographic or local area. For the purpose of assuring compliance with such standards, the Administrator shall from time to time inspect the manufacturing process of mobile homes to be sold to veterans and shall submit questionnaires to veteran owners and conduct random onsite inspections of mobile homes purchased with assistance under this chapter.

"Warranty Requirement

"(j) The Administrator shall require the manufacturer to become a warrantor of any new mobile home which is approved for purchase with financing through the assistance of this chapter and to furnish to the purchaser a written warranty in such form as the Administrator shall require. Such warranty shall include (1) a specific statement that the mobile home meets the standards prescribed by the Administrator pursuant to the provisions of subsection (i) of this section; and (2) a provision that the warrantor's liability to the purchaser or owner is limited under the warranty to instances of substantial nonconformity to such standards which become evident within one year from date of purchase and as to which the purchaser or owner gives written notice to the warrantor not later than ten days after the end of the warranty period. The warranty prescribed herein shall be in addition to, and not in derogation of, all other rights and privileges which such purchaser or owner may have under any other law or instrument and shall so provide in the warranty document.

"Authority To Deny Guaranteed or Direct Loan Financing

"(k) Subject to notice and opportunity for a hearing, the Administrator is authorized to deny guaranteed or direct loan financing in the case of mobile homes constructed by any manufacturer who refuses to permit the inspections provided for in subsection (i) of this section; or in the case of mobile homes which are determined by the Administrator not to conform to the aforesaid standards; or where the manufacturer of mobile homes fails or is unable to discharge his obligations under the warranty.

"Authority To Disapprove Mobile Home Sites or Purchases From Certain Dealers

"(l) Subject to notice and opportunity for a hearing, the Administrator may refuse to approve as acceptable any site in a mobile home park or subdivision owned or operated by any person whose rental or sale methods, procedures, requirements, or practices are determined by the Administrator to be unfair or prejudicial to veterans renting or purchasing such sites. The Administrator may also refuse to guarantee or make direct loans for veterans to purchase mobile homes offered for sale by any dealer if substantial deficiencies have been discovered in such homes, or if he determines that there has been a failure or indicated inability of the dealer to discharge contractual liabilities to veterans, or that the type of contract of sale or methods, procedures, or practices pursued by the dealer in the marketing of such properties have been unfair or prejudicial to veterans purchasers.

"Annual Report to Congress

"(m) The Administrator shall submit to the Congress, no later than one year after the date of enactment of the Veterans' Housing Act of 1970 and annually thereafter, a report on operations under this section, including the results of inspections and questionnaires required by subsection (i) of this section and experience with compliance with the warranty required by subsection (j) of this section.

"Applicability of Certain Provisions of Law

"(n) The provisions of section 1804(d) and section 1821 of this chapter shall be fully applicable to lenders making mobile home loans guaranteed under this section and to holders of such loans.

"Termination Date for Mobile Home Loan Program

"(o) No loans shall be guaranteed or made by the Administrator for the purposes described in the provisions of this section on and after July 1, 1975, except pursuant to commitments issued prior to such date."

(b) The table of sections at the beginning of chapter 37 of such title is amended by inserting immediately after

"1818. Veterans who serve after January 31, 1955."

the following:

"1819. Loans to purchase mobile homes and mobile home lots."

SEC. 6. Section 5 of this Act shall become effective sixty days following the date of enactment of this Act.

Amend the title so as to read: "An Act to amend chapter 37 to title 38, United States Code, to authorize guaranteed and direct loans to eligible veterans and persons for mobile homes and lots therefor if used as permanent dwellings, to remove the time limitation on the use of entitlement to benefit under such chapter, and to restore such entitlements which have lapsed prior to use or expiration, to eliminate the guaranteed and direct loan fee collected under such chapter, and for other purposes."

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

Mr. TEAGUE of California. Mr. Speaker, reserving the right to object, again I request the gentleman from Texas to make a brief explanation of what is involved.

Mr. TEAGUE of Texas. Mr. Speaker, this accepts the House bill with two very minor changes. It would put disabled veterans in the mobile homes amendment, and it would make it an open-ended bill so far as the disabled veterans are concerned.

Mr. Speaker, the housing bill, H.R. 16710, which passed the House unanimously on September 21, restored the eligibility for loan guaranties and direct loans for those World War II and Korean veterans whose eligibility had recently expired. It also provided for a new guarantee program and direct loan program for mobile homes and also authorized service-connected paraplegic and quadriplegic veterans to obtain direct housing assistance in addition to the $12,500 grant for the construction of special homes suited to their individual needs.

The Senate in passing the bill on September 25 passed legislation which was essentially similar to the proposal I have just described but with certain differences. The terminal date for the direct loan program was made open ended. My proposal accepts this Senate provision. The Senate also provided for direct loan areas for mobile homes while the House provision provided for direct housing areas to be the same for direct mobile home areas. My substitute accepts in essence the Senate language.

The proposed substitute seeks to make clear that an eligible veteran may have two mobile homes and one regularly constructed home if the previous loans have been repaid in full.

The Senate version had directed the Administrator of Veterans' Affairs to consult with the Department of Housing and Urban Development on scenic and environmental conditions. The proposed substitute permits him to do so if he wishes but not on a mandatory basis.

The Senate version authorized a yearly report on the operation of the mobile housing program and directed the Administrator of Veterans' Affairs to submit questionnaires to users of mobile homes. The substitute requires pertinent information on this program to be included in the annual report of the Administrator and removes the requirement as to the possible use of questionnaires.

The warranty provision of the two bills were essentially similar. Most of the provisions of the Senate version have been incorporated into the proposed substitute.

Mr. Speaker, I think the proposed substitute adopts the best features of both versions and I hope that the other body will see fit to concur in our action here today.

Mr. Speaker, I include as a part of my remarks at this point in the RECORD a comparative print of H.R. 16710 showing it in the form as passed by the House on September 21 and as it passed the Senate on September 25 and the proposed substitute:

COMPARATIVE PRINT OF H.R. 16710

HOUSE PASSED (SEPTEMBER 21, 1970) VERSION

That this Act may be cited as the "Veterans Housing Act of 1970".

SEC. 2. The last sentence of section 1802(b) of title 38, United States Code, is amended to read as follows: "Entitlement restored under this subsection may be used at any time."

SEC. 3. (a) Subsection 1803(a) of title 38, United States Code, is amended to read as follows:

"(a)(1) Any loan to a World War II or Korean conflict veteran, if made for any of the purposes, and in compliance with the provisions, specified in this chapter is automatically guaranteed by the United States in an amount not more than 60 per centum of the loan if the loan is made for any of the purposes specified in section 1810 of this title and not more than 50 per centum of the loan is for any of the purposes specified in section 1812, 1813, or 1814 of this title.

"(2) Any unused entitlement of World War II or Korean conflict veterans which expired under provisions of law in effect prior to the date of enactment of the Veterans Housing Act of 1970 is hereby restored."

(b) Section 1803(b) of title 38, United States Code, is amended by deleting "sections 1810 and 1811 of this title," and substituting in place thereof "sections 1810, 1811, and 1819 of this title,".

SENATE PASSED (SEPTEMBER 25, 1970) VERSION

That this Act may be cited as the "Veterans' Housing Act of 1970".

SEC. 2. (a) Section 1802(b) of title 38, United States Code, is amended by striking out the last sentence thereof.

(b) Section 1803 of such title is amended by striking out subsection (a) and inserting in lieu thereof the following:

"(a)(1) Any loan to a World War II or Korean conflict veteran, if made for any of the purposes, and in compliance with the provisions, specified in this chapter is automatically guaranteed by the United States in an amount not more than 60 per centum of the loan if the loan is made for any of the purposes specified in section 1810 of this title and not more than 50 per centum of the loan if the loan is for any of the purposes specified in section 1812, 1813, or 1814 of this title.

"(2) Any unused entitlement of World War II or Korean conflict veterans which expired under provisions of laws in effect prior to the date of enactment of the Veterans' Housing Act of 1970 is hereby restored and shall not expire until used."

(c) Subsection (b) of such section 1803 is amended by striking out "1810 and 1811" and inserting in lieu thereof "1810, 1818, and 1819".

(d) Subsection (b) of section 1804 of such title is amended by striking out "The" and inserting in lieu thereof "Subject to notice and opportunity for a hearing, the"; and subsection (d) of such section is amended by striking out "Whenever" and inserting in lieu thereof "Subject to notice and opportunity for a hearing, wherever".

(e) Section 1818 of such title is amended by striking out subsections (c), (d), and (e) and inserting in lieu thereof the following:

"(c) Notwithstanding the exception in subsection (a) of this section, entitlement derived under such subsection (a) shall include eligibility for any of the purposes specified in sections 1813 and 1815, and business loans under section 1814 of this title, if (1) the veteran previously derived entitlement to the benefits of this chapter based on service during World War II or the Korean conflict, and (2) he has not used any of his entitlement derived from such service.

"(d) Any entitlement to the benefits of this section which had not expired as of the date of enactment of the Veterans' Housing Act of 1970 and any entitlement to such benefits accruing after such date shall not expire until used."

SEC. 3. Section 1810 of title 38, United States Code, is amended by—

(1) adding the following new clause after clause (4) of subsection (a):

"(5) To refinance an existing mortgage loan which is secured of record on a dwelling or farm residence owned and occupied by him as his home. Nothing in this chapter shall preclude a veteran from paying to a lender any discount required by such lender in connection with such refinancing."; and

(2) adding at the end of that section the following new subsection:

"(d) Nothing in this chapter shall be deemed to preclude the guaranty of a loan an an eligible veteran to purchase a one-family residential unit to be owned and occupied by him as a home in a condominium housing development or project as to which the Secretary of Housing and Urban Development has issued, under section 234 of the National Housing Act, as amended (12 U.S.C. 1715y), evidence of insurance on at least one loan for the purchase of a one-family unit. The Administrator shall guarantee loans to veterans on such residential units when such

SUBSTITUTE

That this Act may be cited as the "Veterans' Housing Act of 1970".

SEC. 2. (a) Section 1802(b) of title 38, United States Code, is amended by striking out the last sentence thereof.

(b) Section 1803 of such title is amended by striking out subsection (a) and inserting in lieu thereof the following:

"(a)(1) Any loan to a World War II or Korean conflict veteran, if made for any of the purposes, and in compliance with the provisions, specified in this chapter is automatically guaranteed by the United States in an amount not more than 60 per centum of the loan if the loan is made for any of the purposes specified in section 1810 of this title and not more than 50 per centum of the loan if the loan is for any of the purposes specified in section 1812, 1813, or 1814 of this title.

"(2) Any unused entitlement of World War II or Korean conflict veterans which expired under provisions of law in effect prior to the date of enactment of the Veterans' Housing Act of 1970 is hereby restored and shall not expire until used."

(c) Section 1803 of such title is amended—

(1) by striking out "1810 and 1811" in subsection (b) and inserting in lieu thereof "1810, 1811, and 1819"; and

(2) by inserting immediately after "years" in the first sentence of subsection (d)(1) the following: "except as provided in section 1819 of this title".

(d) Subsection (b) of section 1804 of such title is amended by striking out "The" and inserting in lieu thereof "Subject to notice and opportunity for a hearing, the"; and subsection (d) of such section is amended by striking out "Whenever" and inserting in lieu thereof "Subject to notice and opportunity for a hearing, whenever".

(e) Section 1818 of such title is amended by striking out subsections (c), (d), and (e) and inserting in lieu thereof the following:

"(c) Notwithstanding the exception in subsection (a) of this section, entitlement derived under such subsection (a) shall include eligibility for any of the purposes specified in sections 1813 and 1815, and business loans under section 1814 of this title, if (1) the veteran previously derived entitlement to the benefits of this chapter based on service during World War II or the Korean conflict, and (2) he has not used any of his entitlement derived from such service.

"(d) Any entitlement to the benefits of this section which had not expired as of the date of enactment of the Veterans' Housing Act of 1970 and any entitlement to such benefits accruing after such date shall not expire until used."

SEC. 3. Section 1810 of title 38, United States Code, is amended by—

(1) adding the following new clause after clause (4) of subsection (a):

"(5) To refinance an existing mortgage loan or other leins which is secured of record on a dwelling or farm residence owned and occupied by him as his home. Nothing in this chapter shall preclude a veteran from paying to a lender any discount required by such lender in connection with such refinancing."; and

(2) adding at the end of that section the following new subsection:

"(d) Nothing in this chapter shall be deemed to preclude the guaranty of a loan an an eligible veteran to purchase a one-family residential unit to be owned and occupied by him as a home in a condominium housing development or project as to which the Secretary of Housing and Urban Development has issued, under section 234 of the National Housing Act, as amended (12 U.S.C. 1715y), evidence of insurance on at least one loan for the purchase of a one-family unit. The Administrator shall guarantee loans to

HOUSE PASSED (SEPT. 21, 1970) VERSION—continued

SEC. 4. Section 1811 of title 38, United States Code, is amended as follows:

(a) by striking out subsection (h) and inserting in lieu thereof the following:

"(h) No loan may be made under this section to any veteran after January 31, 1975, except pursuant to a commitment issued by the Administrator before such date."

(b) by striking out subsection (i) and inserting in lieu thereof the following:

"(i) The Administrator may exempt dwellings constructed through assistance provided by this section from the minimum land planning and subdivision requirements prescribed pursuant to subsection (a) of section 1804 of this title, and with respect to such dwellings may prescribe special minimum land planning and subdivision requirements which shall be in keeping with the general housing facilities in the locality but shall require that such dwelling meet minimum requirements of structural soundness and general acceptability."

(c) by striking out subsection (j) and inserting in lieu thereof the following:

"(j) The Administrator is authorized, without regard to the provisions of subsections (a), (b), and (c) of this section, to make or enter into a commitment to make a loan to any veteran to assist the veteran in acquiring a specially adapted housing unit authorized under chapter 21 of this title, if the veteran is determined to be eligible for the benefits of such chapter 21, and is eligible for loan guaranty benefits under this chapter."

SENATE PASSED (SEPT. 25, 1970) VERSION—continued

loans meet those requirements of this chapter which he shall, by regulation, determine to be applicable to such loans."

SEC. 4. Section 1811 of title 38, United States Code, is amended—

(1) by striking out "1810" in subsection (a) and (b) and inserting in lieu thereof: "1810 or 1819";

(2) by striking out the second sentence of subsection (b) and inserting in lieu thereof the following: "He shall, with respect to any such area, make, or enter into commitments to make, to any veteran eligible under this title, a loan for any or all of the purposes described in section 1810(a) or 1819 of this title.";

(3) by striking out "1810 of this title" in subsections (c)(1) and (g) and inserting in lieu thereof "1810 or 1819 of this title, as appropriate";

(4) by striking out "The" in subsection (d)(2) and inserting in lieu thereof "(A) Except for any loan made under this chapter for the purposes described in section 1819 of this title, the";

(5) by inserting immediately after subsection (d)(2) (as amended by clause (4) above) the following new paragraph:

"(B) The original principal amount of any loan made under this section for the purposes described in section 1819 of this title shall not exceed the amount specified by the Administrator pursuant to subsection (d) of such section."; and

(6) by striking out subsections (h), (i), and (j) and inserting in lieu thereof the following:

"(h) The Administrator may exempt dwellings constructed through assistance provided by this section from the minimum land planning and subdivision requirements prescribed pursuant to subsection (a) of section 1804 of this title, and with respect to such dwellings may prescribe special minimum land planning and subdivision requirements which shall be in keeping with the general housing facilities in the locality but shall require that such dwellings meet minimum requirements of structural soundness and general acceptability.

"(i) The Administrator is authorized, without regard to the provisions of subsections (a), (b), and (c) of this section, to make or enter into a commitment to make a loan to any veteran to assist the veteran in acquiring a specialty adapted housing unit authorized under chapter 21 of this title, if the veteran is determined to be eligible for the benefits of such chapter 21, and is eligible for loan guaranty benefits under this chapter.

"(j)(1) If any builder or sponsor proposes to construct one or more dwellings in a housing credit shortage area, or in any area for a veteran who is determined to be eligible for assistance in acquiring a specially adapted housing unit under chapter 21 of this title, the Administrator may enter into commitment with such builder or sponsor, under which funds available for loans under this section will be reserved for a period not in excess of three months, or such longer period as the Administrator may authorize to meet the needs in any particular case, for the purpose of making loans to veterans to purchase such dwellings. Such commitment

SUBSTITUTE—continued

veterans on such residential units when such loans meet those requirements of this chapter which he shall, by regulation, determine to be applicable to such loans."

SEC. 4. Section 1811 of title 38, United States Code, is amended—

(1) by striking out "1810" in subsection (a) and (b) and inserting in lieu thereof: "1810 or 1819";

(2) by striking out the second sentence of subsection (b) and inserting in lieu thereof the following: "He shall, with respect to any such area, make, or enter into commitments to make, to any veteran eligible under this title, a loan for any or all of the purposes described in section 1810(a) or 1819 of this title.";

(3) by inserting after "guaranteed home loans" the phrase "or mobile home loans, as appropriate" in subsection (c)(1), and by striking out in such subsection "1810 of this title" and inserting in lieu thereof "1810 or 1819 of this title, as appropriate";

(4) by inserting after "guaranteed home loans" in subsection (d)(1) the phrase "or mobile home loans, as appropriate";

(5) by striking out "The" in subsection (d)(2) and inserting in lieu thereof "(A) Except for any loan made under this chapter for the purposes described in section 1819 of this title, the";

(6) by inserting immediately after subsection (d)(2) (as amended by clause (4) above) the following new paragraph:

"(B) The original principal amount of any loan made under this section for the purposes described in section 1819 of this title shall not exceed the amount specified by the Administrator pursuant to subsection (d) of such section.";

(7) by striking out "1810 of this title" in subsection (g) and inserting in lieu thereof "1810 or 1819 of this title, as appropriate"; and

(8) by striking out subsections (h), (i), and (j) and inserting in lieu thereof the following:

"(h) The Administrator may exempt dwellings constructed through assistance provided by this section from the minimum land planning and subdivision requirements prescribed pursuant to subsection (a) of section 1804 of this title, and with respect to such dwellings may prescribe special minimum land planning and subdivision requirements which shall be in keeping with the general housing facilities in the locality but shall require that such dwellings meet minimum requirements of structural soundness and general acceptability.

"(i) The Administrator is authorized, without regard to the provisions of subsections (a), (b), and (c) of this section, to make or enter into a commitment to make a loan to any veteran to assist the veteran in acquiring a specially adapted housing unit authorized under chapter 21 of this title, if the veteran is determined to be eligible for the benefits of such chapter 21, and is eligible for loan guaranty benefits under this chapter.

"(j)(1) If any builder or sponsor proposes to construct one or more dwellings in a housing credit shortage area, or in any area for a veteran who is determined to be eligible for assistance in acquiring a specially adapted housing unit under chapter 21 of this title, the Administrator may enter into commitment with such builder or sponsor, under which funds available for loans under this section will be reserved for a period not in excess of three months, or such longer period as the Administrator may authorize to meet the needs in any particular case, for the purpose of making loans to veterans to purchase such dwellings. Such commitment

HOUSE PASSED (SEPT. 21, 1970) VERSION—continued

SEC. 5. Section 1818 of title 38, United States Code, is amended (1) by striking out subsections (c) and (d); (2) by redesignating subsection (e) as (c) and amending it to read as follows:

"(c) Notwithstanding the exception in subsection (a) of this section, entitlement derived under such subsection (a) shall include eligibility for any of the purposes specified in sections 1813 and 1815, and business loans under section 1814 of this title, if (1) the veteran previously derived entitlement to the benefits of this chapter based on service during World War II or the Korean conflict, and (2) he has not used any of his entitlement derived from such service."

SEC. 6. (a) Subchapter II of chapter 37, title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 1819. Loans to purchase mobile homes

"(a) Notwithstanding any other provisions of this chapter, any veteran eligible for loan guaranty benefits under this chapter who has maximum home loan guaranty entitlement available for use shall be eligible for the guaranteed or direct mobile home loan benefit provided in this section. Use of such mobile home loan benefit shall preclude the use of any home loans guaranty entitlement under any other section of this chapter until the guaranteed or direct mobile home loan has been paid in full.

"(b) No direct loan for the purchase of a mobile home shall be made from funds available in the direct loan revolving fund unless the site for such home is located in an area designated by the Administrator pursuant to section 1811(b) as a 'housing credit shortage area' for the purpose of providing direct loan financing for the purchase of other than mobile homes. Any such direct loan shall be subject to such requirements and limitations prescribed in this section for guaranteed mobile home loans as may be applicable.

"(c) Any loan to a veteran eligible under subsection (a) shall be guaranteed by the Administrator if (1) the loan is for the purpose of purchasing a new mobile home or for the purchase of a used mobile home which is the security for a prior loan guaranteed or made under this section or for a loan guaranteed, insured or made by another Federal agency, and (2) the loan complies in all

SENATE PASSED (SEPT. 25, 1970) VERSION—continued

may not be assigned or transferred except with the written approval of the Administrator. The Administrator shall not enter into any such commitment unless such builder or sponsor pays a nonrefundable commitment fee to the Administrator in an amount determined by the Administrator, not to exceed 2 per centum of the funds reserved for such builder or sponsor.

"(2) Whenever the Administrator finds that a dwelling with respect to which funds are being reserved under this subsection has been sold, or contracted to be sold, to a veteran eligible for a direct loan under this section, the Administrator shall enter into a commitment to make the veteran a loan for the purchase of such dwelling. With respect to any loan made to an eligible veteran under this subsection, the Administrator may make advances during the construction of the dwelling, up to a maximum in advances of (A) the cost of the land plus (B) 80 percentum of the value of the construction in place."

SEC. 5. (a) Subchapter II of chapter 37 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 1819. Loans to purchase mobile homes and mobile home lots

"Eligibility for Loan Guaranty

"(a) Notwithstanding any other provision of this chapter, any veteran eligible for loan guaranty benefits under this chapter who has maximum home loan guaranty entitlement available for use shall be eligible for the mobile home loan guaranty benefit under this section. Use of the mobile home loan guaranty benefit provided by this section shall preclude the use of any home loan guaranty entitlement under any other section of this chapter until the mobile home loan guaranteed under this section has been paid in full or the security has been disposed of to a transferee and the Administrator, after determining that such requirements of section 1817 of this title as he determines, by regulation, to be applicable have been met, has released the veterans from all further liability to the Administrator with respect to such loan.

SUBSTITUTE—continued

may not be assigned or transferred except with the written approval of the Administrator. The Administrator shall not enter into any such commitment unless such builder or sponsor pays a nonrefundable commitment fee to the Administrator in an amount determined by the Administrator, not to exceed 2 per centum of the funds reserved for such builder or sponsor.

"(2) Whenever the Administrator finds that a dwelling with respect to which funds are being reserved under this subsection has been sold, or contracted to be sold, to a veteran eligible for a direct loan under this section, the Administrator shall enter into a commitment to make the veteran a loan for the purchase of such dwelling. With respect to any loan made to an eligible veteran under this subsection, the Administrator may make advances during the construction of the dwelling, up to a maximum in advances of (A) the cost of the land plus (B) 80 per centum of the value of the construction in place."

SEC. 5. Subchapter II of chapter 37 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 1819. Loans to purchase mobile homes and mobile home lots

"(a) Notwithstanding any other provision of this chapter, any veteran eligible for loan guaranty benefits under this chapter who has maximum home loan guaranty entitlement available for use shall be eligible for the mobile home loan guaranty benefit under this section. Use of the mobile home loan guaranty benefit provided by this section shall preclude the use of any home loan guaranty entitlement under any other section of this chapter until the mobile home loan guaranteed under this section has been paid in full.

HOUSE PASSED (SEPT. 21, 1970) VERSION—continued

other respects with the requirements of this section. Loans for such purpose shall be submitted to the Administrator for approval prior to loan closing except that the Administrator may exempt any lender, or class of lenders, from compliance with such prior approval requirement if he determines that the experience of such lender or class of lenders in mobile home financing warrants such exemption. Upon determining that a loan submitted for prior approval is eligible for guaranty under this section, the Administrator may issue a commitment to guarantee such loan and shall thereafter guarantee the loan made if such loan qualifies therefor in all respects.

"(d) The Administrator's guaranty liability to the holder of the loan shall be 30 per centum of the principal balance of the loan as of the date of the first uncured default in payment as defined by the Administrator. Payment of such guaranty shall be made only after liquidation of the security for the loan and the filing of an accounting with the Administrator. In such accounting the Administrator may allow the holder of the loan to charge against the liquidation or resale proceeds accrued unpaid interest to such cutoff date as he may establish, and such costs and expenses as he determines to be reasonable and proper.

"(e) Whenever a new mobile home is to be purchased with the proceeds of a proposed loan, the Administrator may forego a determination of the property's reasonable value and establish a maximum loan amount based on the manufacturer's invoice cost to the dealer plus such cost and other factors as the Administrator considers proper to take into account for such purpose. In respect to loans to purchase used mobile homes the Administrator shall establish a maximum loan amount based on his determination of the reasonable value of the property. No mobile home loan shall be guaranteed if the amount thereof exceeds $10,000 or if the term of the loan exceeds twelve years and thirty-two days. Such limitations on the amount and term of the loan, however, shall not be deemed to preclude the Administrator from consenting to necessary advances for the protection of the property or the holder's security interest, or to a reasonable reamortization or extension of the term of the loan.

SENATE PASSED (SEPT. 25, 1970) VERSION—continued

"Lot and Site Preparation

["(b) Subject to the limitation in subsection (d) of this section, a loan to purchase a mobile home under this section may include (or be augmented by a separate loan for) (1) an amount to finance the acquisition of a lot on which to place such home, and (2) an additional amount to pay expenses reasonably necessary for the appropriate preparation of such a lot, including, but not limited to, the installation of utility connections, sanitary facilities and paving, and the construction of a suitable pad, provided a first lien on such lot is obtained for the total loan amount.

"Automatic Guarantee of Certain Loans

"(c) (1) Any loan made to a veteran eligible under subsection (a) of this section, if made pursuant to the provisions of this chapter, by a lender of a class specified in the first sentence of section 1802(d) of this title, shall be automatically guaranteed by the Administrator if the loan is for the purpose of purchasing a new mobile home or if the loan is for the purchase of a used mobile home and such used mobile home is the security for a loan guaranteed or insured by another Federal agency. Any loan to be made for such purpose by a lender not specified in the first sentence of section 1802(d) of this title shall be submitted to the Administrator for approval prior to loan closing.

"Prior Approval of Certain Loans

"(2) Upon determining that a loan submitted for prior approval is eligible for guaranty under this section, the Administrator shall issue a commitment to guarantee such loan and shall thereafter guarantee the loan when made if such loan qualifies therefor in all respects.

SUBSTITUTE—continued

"(b) Subject to the limitations in subsection (d) of this section, a loan to purchase a mobile home under this section may include (or be augmented by a separate loan for) (1) an amount to finance the acquisition of a lot on which to place such home, and (2) an additional amount to pay expenses reasonably necessary for the appropriate preparation of such a lot, including, but not limited to, the installation of utility connections, sanitary facilities and paving, and the construction of a suitable pad.

"(c) (1) Any loan to a veteran eligible under subsection (a) shall be guaranteed by the Administrator if (1) the loan is for the purpose of purchasing a new mobile home or for the purchase of a used mobile home which is the security for a prior loan guaranteed or made under this section or for a loan guaranteed, insured or made by another Federal agency, and (2) the loan complies in all other respects with the requirements of this section. Loans for such purpose (including those which will also finance the acquisition of a lot or site preparation as authorized by subsection (b) of this section) shall be submitted to the Administrator for approval prior to loan closing except that the Administrator may exempt any lender of a class listed in section 1802(d) of this title from compliance with such prior approval requirement if he determines that the experience of such lender or class of lenders in mobile home financing warrants such exemption.

"(2) Upon determining that a loan submitted for prior approval is eligible for guaranty under this section, the Administrator shall issue a commitment to guarantee such loan and shall thereafter guarantee the loan when made if such loan qualifies therefor in all respects.

HOUSE PASSED (SEPT. 21, 1970) VERSION—continued

SENATE PASSED (SEPT. 25, 1970) VERSION—continued

"Payment of Loan Guaranty

"(3) The Administrator's guaranty shall not exceed 30 per centum of the loan, including any amount for lot acquisition and site preparation, and payment of such guaranty shall be made only after liquidation of the security for the loan and the filing of an accounting with the Administrator. In such accounting the Administrator shall allow the holder of the loan to charge against the liquidation or resale proceeds accrued unpaid interest to such cutoff date as the Administrator may establish and such costs and expenses as he determines to be reasonable and proper.

"LOAN GUARANTY LIMITITIONS

"(d) (1) The Administrator shall establish a loan maximum for each type of loan authorized by this section. In the case of a new mobile home, the Administrator may establish a maximum loan amount based on the manufacturer's invoice cost to the dealer and such other cost factors as the Administrator considers proper to take into account. In the case of a used mobile home, the Administrator shall establish a maximum loan amount based on his determination of the reasonable value of the property. In the case of any lot on which to place a mobile home financed through the assistance of this section and for the necessary site preparation, the loan amount shall not be increased by an amount in excess of the reasonable value of such lot or site preparation or both, as determined by the Administrator.

"(2) The maximum permissible loan amount and the term for which the loan is made shall not exceed—

"(A) $10,000 for twelve years and thirty-two days in the case of a loan covering the purchase of a mobile home only,

"(B) $15,000 (but not to exceed $5,000 for lot acquisition) for fifteen years and thirty-two days in the case of a loan covering the purchase of a mobile home and a suitable lot on which to place such home, and

such additional amount as is determined by the Administrator to be appropriate to cover the cost of necessary site preparation. Such limitations on the amount and term of any loan, however, shall not be deemed to preclude the Administrator, under regulations which he shall prescribe, from consenting to necessary advances for the protection of the security or the holder's lien, or to a reasonable extension of the term or reamortization of a loan.

SUBSTITUTE—continued

"(3) The Administrator's guaranty shall not exceed 30 per centum of the loan, including any amount for lot acquisition and site preparation, and payment of such guaranty shall be made only after liquidation of the security for the loan and the filing of an accounting with the Administrator. In any such accounting the Administrator shall permit to be included therein accrued unpaid interest from the date of the first uncured default to such cutoff date as the Administrator may establish, and he shall allow the holder of the loan to charge against the liquidation or resale proceeds, accrued interest from the cutoff date established to such further date as he may determine and such costs and expenses as he determines to be reasonable and proper. The liability of the United States under the guaranty provided for by this section shall decrease or increase pro rata with any decrease or increase of the amount of the unpaid portion of the obligation.

"(d) (1) The Administrator shall establish a loan maximum for each type of loan authorized by this section. In the case of a new mobile home, the Administrator may establish a maximum loan amount based on the manufacturer's invoice cost to the dealer and such other cost factors as the Administrator considers proper to take into account. In the case of a used mobile home, the Administrator shall establish a maxium loan amount based on his determination of the reasonable value of the property. In the case of any lot on which to place a mobile home financed through the assistance of this section and in the case of necessary site preparation, the loan amount shall not be increased by an amount in excess of the reasonable value of such lot or an amount appropriate to cover the cost of necessary site preparation or both, as determined by the Administrator.

"(2) The maximum permissible loan amounts and the term for which the loans are made shall not exceed—

"(A) $10,000 for twelve years and thirty-two days in the case of a loan covering the purchase of a mobile home only, and such additional amount as is determined by the Administrator to be appropriate to cover the cost of necessary site preparation where the veteran owns the lot, or

"(B) $15,000 (but not to exceed $10,000 for the mobile home) for fifteen years and thirty-two days in the case of a loan covering the purchase of a mobile home and an undeveloped lot on which to place such home, and such additional amount as is determined by the Administrator to be appropriate to cover the cost of necessary site preparation, or

"(C) $17,500 (but not to exceed $10,000 for the mobile home) for fifteen years and thirty-two days in the case of a loan covering the purchase of a mobile home and a suitably developed lot on which to place such home.

"(3) Such limitations set forth in paragraph 2 of this subsection on the amount and term of any loan shall not be deemed to preclude the Administrator, under regu-

HOUSE PASSED (SEPT. 21, 1970) VERSION—continued

"Loan Guaranty Requirements

"(e) No loan shall be guaranteed under this section unless—

"(1) the loan is repayable in approximately equal monthly installments;

"(2) the terms of repayment bear a proper relationship to the veteran's present and anticipated income and expenses, and the veteran is a satisfactory credit risk, taking into account the purpose of this program to make available lower cost housing to low and lower income veterans, especially those who have been recently discharged or released from active military, naval, or air service, who may not have previously established credit ratings;

"(3) the loan is secured by a first lien on the mobile home and any lot acquired or improved with the proceeds of the loan;

"(4) the amount of the loan, subject to the maximums established in subparagraph (d) of this section, is not in excess of the maximum amount prescribed by the Administrator;

"(5) the veteran certifies, in such form as the Administrator shall prescribe, that he will personally occupy the property as his home;

"(6) the mobile home is or will be placed on a site which meets specifications which the Administrator shall establish by regulation; and

"(7) the interest rate to be charged on the loan does not exceed the permissible rate established by the Administrator.

"Interest Rate

"(f) The Administrator shall establish such rate of interest for mobile home loans as he determines to be necessary in order to assure a reasonable supply of mobile home loan financing for veterans under this section.

"Restoration of Entitlement

"(g) Entitlement to the loan guaranty benefit used under this section may be restored a single time for any veteran by the Administrator provided the first loan has been repaid in full or the security has been disposed of to a transferee and the Administrator, after determining that such requirements of section 1817 of this title as he determines, by regulation, to be applicable have been met, has released the veteran from all further liability to the Administrator.

"Regulations

"(h) The Administrator shall promulgate such regulations as he determines to be necessary or appropriate in order to fully implement the provisions of this section, and such regulations shall specify which provisions in other sections of this chapter he determines should be applicable to loans guaranteed under this section. The Administrator shall have such powers and responsibilities in respect to matters arising under this section as he has in respect to loans made or guaranteed under other sections of this chapter.

"Quality Standards

"(i) No loan for the purchase of a mobile home shall be financed through the assistance of this section unless the mobile home and lot, if any, meet or exceed standards for planning, construction, and general acceptability as prescribed by the Administrator. Such standards shall be designed to encourage the maintenance and development of sites for mobile homes which will be attractive residential areas and which will be free from, and not substantially contribute to, adverse scenic or environmental conditions. Standards prescribed by the Administrator

SENATE PASSED (SEPT. 25, 1970) VERSION—continued

SUBSTITUTE—continued

lations which he shall prescribe, from consenting to necessary advances for the protection of the security or the holder's lien, or to a reasonable extension of the term or reamortization of such loan.

"(e) No loan shall be guaranteed under this section unless—

"(1) the loan is repayable in approximately equal monthly installations;

"(2) the terms of repayment bear a proper relationship to the veteran's present and anticipated income and expenses, and the veteran is a satisfactory credit risk, taking into account the purpose of this program to make available lower cost housing to low and lower income veterans, especially those who have been recently discharged or released from active military, naval, or air service, who may not have previously established credit ratings;

"(3) the loan is secured by a first lien on the mobile home and any lot acquired or improved with the proceeds of the loan;

"(4) the amount of the loan, subject to the maximums established in subparagraph (d) of this section, is not in excess of the maximum amount prescribed by the Administrator;

"(5) the veteran certifies, in such form as the Administrator shall prescribe, that he will personally occupy the property as his home;

"(6) the mobile home is or will be placed on a site which meets specifications which the Administrator shall establish by regulation; and

"(7) the interest rate to be charged on the loan does not exceed the permissible rate established by the Administrator.

"(f) The Administrator shall establish such rate of interest for mobile home loans as he determines to be necessary in order to assure a reasonable supply of mobile home loan financing for veterans under this section.

"(g) Entitlement to the loan guaranty benefit used under this section shall be restored a single time for any veteran by the Administrator provided the first loan has been repaid in full.

"(h) The Administrator shall promulgate such regulations as he determines to be necessary or appropriate in order to fully implement the provisions of this section, and such regulations may specify which provisions in other sections of this chapter he determines should be applicable to loans guaranteed or made under this section. The Administrator shall have such powers and responsibilities in respect to matters arising under this section as he has in respect to loans guaranteed or made under other sections of this chapter.

"(i) No loan for the purchase of a mobile home shall be guaranteed under this section unless the mobile home and lot, if any, meet or exceed standards for planning, construction, and general acceptability as prescribed by the Administrator. Such standards shall be designed to encourage the maintenance and development of sites for mobile homes which will be attractive residential areas and which will be free from, and not substantially contribute to, adverse scenic or environmental conditions. For the purpose of assuring compliance with such standards,

HOUSE PASSED (SEPT. 21, 1970) VERSION—continued

relating to scenic and environmental conditions shall be developed by the Administrator in consultation with the Secretary of Housing and Urban Development and with representatives of other appropriate Federal, State, and local agencies or instrumentalities, taking into consideration the particular or unique conditions or physical characteristics which may exist in any geographic or local area. For the purpose of assuring compliance with such standards, the Administrator shall from time to time inspect the manufacturing process of mobile homes to be sold to veterans and shall submit questionnaires to veteran owners and conduct random onsite inspections of mobile homes purchased with assistance under this chapter.

"Warranty Requirement

"(j) The Administrator shall require the manufacturer to become a warrantor of any new mobile home which is approved for purchase with financing through the assistance of this chapter and to furnish to the purchaser a written warranty in such form as the Administrator shall require. Such warranty shall include (1) a specific statement that the mobile home meets the standards prescribed by the Administrator pursuant to the provisions of subsection (i) of this section; and (2) a provision that the warrantor's liability to the purchaser or owner is limited under the warranty to instances of substantial nonconformity to such standards which become evident within one year from date of purchase and as to which the purchaser or owner gives written notice to the warrantor not later than ten days after the end of the warranty period. The warranty prescribed herein shall be in addition to, and not in derogation of, all other rights and privileges which such purchaser or owner may have under any other law or instrument and shall so provide in the warranty document.

"Authority To Deny Guaranteed or Direct Loan Financing

"(k) Subject to notice and opportunity for a hearing, the Administrator is authorized to deny guaranteed or direct loan financing in the case of mobile homes constructed by any manufacturer who refuses to permit the inspections provided for in subsection (i) of this section; or in the case of mobile homes which are determined by the Administrator not to conform to the aforesaid standards; or where the manufacturer of mobile homes fails or is unable to discharge his obligations under the warranty.

"Authority To Disapprove Mobile Home Sites or Purchases From Certain Dealers

"(l) Subject to notice and opportunity for a hearing, the Administrator may refuse to approve as acceptable any site in a mobile home park or subdivision owned or operated by any person whose rental or sale methods, procedures, requirements, or practices are determined by the Administrator to be unfair or prejudicial to veterans renting or purchasing such sites. The Administrator may also refuse to guarantee or make direct loans for veterans to purchase mobile homes offered for sale by any dealer if substantial deficiencies have been discovered in such homes, or if he determines that there has been a failure or indicated inability of the dealer to discharge contractual liabilities to veterans, or that the type of contract of sale or methods, procedures, or practices pursued by the dealer in the marketing of such properties have been unfair or prejudicial to veteran purchasers.

SENATE PASSED (SEPT. 25, 1970) VERSION—continued

SUBSTITUTE—continued

the Administrator shall from time to time inspect the manufacturing process of mobile homes to be sold to veterans and conduct random onsite inspections of mobile homes purchased with assistance under this chapter.

"(j) The Administrator shall require the manufacturer to become a warrantor of any new mobile home which is approved for purchase with financing through the assistance of this chapter and to furnish to the purchaser a written warranty in such form as the Administrator shall require. Such warranty shall include (1) a specific statement that the mobile home meets the standards prescribed by the Administrator pursuant to the provisions of subsection (i) of this section; and (2) a provision that the warrantor's liability to the purchaser or owner is limited under the warranty to instances of substantial nonconformity to such standards which become evident within one year from date of purchase and as to which the purchaser or owner gives written notice to the warrantor not later than ten days after the end of the warranty period. The warranty prescribed herein shall be in addition to, and not in derogation of, all other rights and privileges which such purchaser or owner may have under any other law or instrument and shall so provide in the warranty document.

"(k) Subject to notice and opportunity for a hearing, the Administrator is authorized to deny guaranteed or direct loan financing in the case of mobile homes constructed by any manufacturer who refuses to permit the inspections provided for in subsection (i) of this section; or in the case of mobile homes which are determined by the Administrator not to conform to the aforesaid standards; or where the manufacturer of mobile homes fails or is unable to discharge his obligations under the warranty.

"(l) Subject to notice and opportunity for a hearing, the Administrator may refuse to approve as acceptable any site in a mobile home park or subdivision owned or operated by any person whose rental or sale methods, procedures, requirements, or practices are determined by the Administrator to be unfair or prejudicial to veterans renting or purchasing such sites. The Administrator may also refuse to guarantee or make direct loans for veterans to purchase mobile homes offered for sale by any dealer if substantial deficiencies have been discovered in such homes, or if he determines that there has been a failure or indicated inability of the dealer to discharge contractual liabilities to veterans, or that the type of contract of sale or methods, procedures, or practices pursued by the dealer in the marketing of such properties have been unfair or prejudicial to veteran purchasers.

HOUSE PASSED (SEPT. 21, 1970) VERSION—continued

"(f) No loan shall be guaranteed under this section unless—

"(1) the loan is repayable in approximately equal monthly installments;

"(2) the terms of repayment bear a proper relationship to the veteran's present and anticipated income and expenses, and the veteran is a satisfactory credit risk;

"(3) the loan will be secured by a first lien (or equivalent security interest) on the property;

"(4) the amount of the loan is not in excess of the maximum amount prescribed by the Administrator;

"(5) the veteran certifies, in such form as the Administrator may prescribe, that he will personally occupy the property as his home;

"(6) the mobile home is on a site which is acceptable to the Administrator;

"(7) the interest rate to be charged on the loan does not exceed the permissible rate established by the Administrator.

"(g) The Administrator shall establish such maximum rate of interest for mobile home loans as he determines to be necessary to assure a reasonable supply of mobile home loan financing for veterans under this section.

"(h) A loan to purchase a mobile home to be guaranteed under this section may be increased (or augmented by a separate loan) not in excess of $5,000 or the reasonable value of the lot as determined by the Administrator, whichever is less, for the acquisition of a fully developed lot on which to place the mobile home. In any such transaction the 30 per centum maximum guaranty authorized in subsection (d) shall be based on the total or combined loan amounts. If a lot owned or to be acquired by the veteran does not have the amenities necessary to make it acceptable to the Administrator as a mobile home site, the loan (or loans) may include funds to pay reasonable costs of such amenities but in any such case the total included in the mobile home purchase loan (or loans) for the acquisition of the undeveloped lot and for the cost of site amenities may not exceed $5,000. The Administrator may authorize the real estate portion of a mobile home loan to be amortized over a term of fifteen years and thirty-two days.

SENATE PASSED (SEPT. 25, 1970) VERSION—continued

"Annual Reports to Congress

"(m) The Administrator shall submit to the Congress, no later than one year after the date of enactment of the Veterans' Housing Act of 1970 and annually thereafter, a report on operations under this section, including the results of inspections and questionaires required by subsection (i) of this section and experience with compliance with the warranty required by subsection (j) of this section.

"Applicability of Certain Provisions of Law

"(n) The provisions of section 1804(d) and section 1821 of this chapter shall be fully applicable to lenders making mobile home loans guaranteed under this section and to holders of such loans.

"Termination Date for Mobile Home Loan Program

"(o) No loans shall be guaranteed or made by the Administrator for the purposes described in the provisions of this section on and after July 1, 1975, except pursuant to commitments issued prior to such date."

(b) The table of sections at the beginning of chapter 37 of such title is amended by inserting immediately after

"1818. Veterans who serve after January 31, 1955."

the following:

"1819. Loans to purchase mobile homes and mobile home lots."

SUBSTITUTE—continued

"(m) The Administrator's annual report to Congress shall, beginning 12 months following the date of enactment of the Veterans' Housing Act of 1970, include a report on operations under this section, including the results of inspections required by subsection (i) of this section, experience with compliance with the warranty required by subsection (j) of this section, and the experience regarding defaults and foreclosures.

HOUSE PASSED (SEPT. 21, 1970) VERSION—continued

"(i) Entitlement to the benefit used under this section is restored upon repayment of the guaranteed obligations in full.

"(j) The Administrator is hereby authorized and directed to promulgate such regulations as he determines to be necessary or appropriate in order to fully implement the provisions of this section, and in such regulations he may include any of the provisions in other sections of this chapter as he determines to be applicable or appropriate for loans guaranteed or made under this section. The Administrator shall have such powers in respect to matters arising under this section as he has in respect to loans guaranteed or made under other sections of this chapter.

"(k) No loan for the purchase of a mobile home shall be financed through the assistance of this section unless the mobile home meets or exceeds standards for planning, construction, and general acceptability as prescribed by the Administrator. For the purpose of assuring compliance with such standards the Administrator shall from time to time inspect the manufacturing process of mobile homes to be sold to veterans with guaranteed or direct loan financing, and shall make random on-site inspections of mobile homes purchased under this section.

"(l) The Administrator shall require the manufacturer to become a warrantor of any new mobile home purchased with guaranteed or direct-loan financing under this chapter and to furnish to the veteran purchaser a written warranty in such form as the Administrator shall require. Such warranty shall specifically state that the mobile home meets the standards prescribed by the Administrator pursuant to the provisions of subsection (k) of this section. Such warranty shall further provide that the warrantor's liability to the veteran purchaser is limited under the warranty to instances of substantial nonconformity to such standards which become evident within one year from the date of purchase and the veteran purchaser gives written notice to the warrantor not later than ten days after the end of the warranty date. The warranty prescribed herein shall be in addition to and not in derogation of all other rights and privileges which such purchaser may have under any other law or instrument and shall so provide in the warranty document.

"(m) The Administrator is authorized to deny guaranteed or direct loan financing in respect to mobile homes constructed by any manufacturer who declines to permit the inspections provided for in subsection (k) of this section; or which are determined by the Administrator not to conform to the aforesaid standards; or where the manufacturer fails or is unable to discharge his obligations under the warranty.

SENATE PASSED (SEPT. 25, 1970) VERSION—continued

"(n) The Administrator may refuse to approve as acceptable any site in a mobile home park or subdivision owned or operated by any person or entity whose rental or sale methods, procedures, requirements, or practices are determined by the Administrator to be unfair or prejudicial to veterans renting or purchasing such sites. The Administrator may also refuse to guarantee or make direct loans to veterans to purchase mobile homes offered for sale by any dealer in such homes as to which substantial deficiencies have been discovered, or if he determines that there has been a failure or indicated inability of the dealer to discharge contractual liabilities to veterans, or that the type of contract of sale or the methods, procedures, or practices pursued by the dealer in the marketing of such properties were unfair or prejudicial to veteran purchasers.

"(o) The provisions of section 1804(d) and section 1821 of this chapter shall be fully applicable to lenders making guaranteed mobile home loans and holders of such loans.

SUBSTITUTE—continued

"(n) The provisions of section 1804(d) and section 1821 of this chapter shall be fully applicable to lenders making guaranteed mobile home loans and holders of such loans.

"(o) No loans shall be guaranteed or made by the Administrator under the provisions of this section on and after July 1, 1975, except pursuant to commitments issued prior to such date."

SEC. 6. Clause (3) of section 802 of title 38, United States Code, is amended to read as follows:

"(3) where the veteran elects to remodel a dwelling which is not adapted to the requirements of his disability, acquired by him prior to application for assistance under this chapter, the Administrator shall pay not to exceed (A) the cost to the veteran of such remodeling; or (B) 50 per centum of the cost to the veteran of such remodeling; plus the smaller of the following sums: (i) 50 per centum of the cost to the veteran of such dwelling and the necessary land upon which it is situated, or (ii) the full amount

HOUSE PASSED (SEPT. 21, 1970) VERSION—continued

SEC. 8. The table of sections at the beginning of chapter 37 of title 38 is amended by inserting immediately after

"1818. Veterans who serve after January 31, 1955."

the following:

"1819. Loans to purchase mobile homes."

SEC. 9. Section 6 of this Act shall become effective ninety days following the date of enactment.

Amend the title so as to read: "An Act to amend chapter 37 of title 38, United States Code, to remove the time limitations on the use of entitlement to loan benefits, to authorize guaranteed and direct loans for the purchase of mobile homes, authorize direct loans for certain disabled veterans, and for other purposes."

SENATE PASSED (SEPT. 25, 1970) VERSION—continued

"(p) No loans shall be guaranteed by the Administrator under the provisions of this section on and after July 1, 1975, except pursuant to commitments issued prior to such date."

SEC. 7. Clause (3) of section 802 of title 38, United States Code, is amended to read as follows:

"(3) where the veteran elects to remodel a dwelling which is not adapted to the requirements of his disability, acquired by him prior to application for assistance under this chapter, the Administrator shall pay not to exceed (A) the cost to the veteran of such remodeling; or (B) 50 per centum of the cost to the veteran of such remodeling; plus the smaller of the following sums: (i) 50 per centum of the cost to the veteran of such dwelling and the necessary land upon which it is situated, or (ii) the full amount of the unpaid balance, if any, of the cost to the veteran of such dwelling and the necessary land upon which it is situated; and".

SEC. 6. Section 5 of this Act shall become effective sixty days following the date of enactment of this Act.

Amend the title so as to read: "An Act to amend chapter 37 of title 38, United States Code, to authorize guaranteed and direct loans to eligible veterans and persons for mobile homes and lots therefor if used as permanent dwellings, to remove the time limitation on the use of entitlement to benefits under such chapter, and to restore such entitlements which have lapsed prior to use or expiration, to eliminate the guaranteed and direct loan fee collected under such chapter, and for other purposes."

SUBSTITUTE—continued

of the unpaid balance, if any, at the cost to the veteran of such dwelling and the necessary land upon which it is situated; and".

SEC. 7. The table of sections at the beginning of chapter 37 of title 38 is amended by inserting immediately after

"1818. Veterans who serve after January 31, 1955."

the following:

"1819. Loans to purchase mobile homes and mobile home lots."

SEC. 8. Section 5 of this Act shall become effective sixty days following the date of enactment.

Amend the title so as to read: "An Act to amend chapter 37 of title 38, United States Code, to authorize guaranteed and direct loans to eligible veterans for mobile homes and lots therefor if used as permanent dwellings, to remove the time limitation on the ues of entitlement to benefits under such chapter, and to restore such entitlements which have lapsed prior to use or expiration, to eliminate the guaranteed and direct loan fee collected under such chapter, and for other purposes."

That section 1811 of title 38, United States Code, is amended by adding after subsection (k) the following new subsection:

"(l) The Administrator is authorized, without regard to the provisions of subsections (a), (b), and (c) of this section, to make or enter into a commitment to make a loan to any veteran to assist the veteran in acquiring a specially adapted housing unit authorized under chapter 21 of this title, if the veteran is determined to be eligible for the benefits of such chapter 21, and is eligible for loan guaranty benefits under this chapter."

SEC. 2. Section 1811(i)(1) of title 38, United States Code, is amended by inserting after "housing credit shortage area," the following: "or in any area for a veteran who is determined to be eligible for assistance in acquiring a specially adapted housing unit under chapter 21 of this title,".

Mr. TEAGUE of California. Mr. Speaker, I withdraw my reservation.

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

There was no objection.

MOTION OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion.

The Clerk read as follows:

Mr. TEAGUE of Texas moves to concur in the Senate amendment to the text of the bill with the following amendment: In lieu of the matter proposed to be inserted by the Senate amendment to the text of the bill, insert the following:

That this Act may be cited as the "Veterans' Housing Act of 1970"

SEC. 2. (a) Section 1802(b) of title 38, United States Code, is amended by striking out the last sentence thereof.

(b) Section 1803 of such title is amended by striking out subsection (a) and inserting in lieu thereof the following:

"(a)(1) Any loan to a World War II or Korean conflict veteran, if made for any of the purposes, and in compliance with the provisions, specified in this chapter is automatically guaranteed by the United States in an amount not more than 60 per centum of the loan if the loan is made for any of the purposes specified in section 1810 of this title and not more than 50 per centum of the loan if the loan is for any of the purposes specified in section 1812, 1813, or 1814 of this title.

"(2) Any unused entitlement of World War II or Korean conflict veterans which expired under provisions of law in effect prior to the date of enactment of the Veterans' Housing Act of 1970 is hereby restored and shall not expire until used."

(c) Section 1803 of such title is amended—

(1) by striking out "1810 and 1811" in subsection (b) and inserting in lieu thereof "1810, 1811, and 1819"; and

(2) by inserting immediately after "years" in the first sentence of subsection (d)(1) the following: "except as provided in section 1819 of this title".

(d) Subsection (b) of section 1804 of such title is amended by striking out "The" and

inserting in lieu thereof "Subject to notice and opportunity for a hearing, the"; and subsection (d) of such section is amended by striking out "Whenever" and inserting in lieu thereof "Subject to notice and opportunity for a hearing, whenever".

(e) Section 1818 of such title is amended by striking out subsections (c), (d), and (e) and inserting in lieu thereof the following:

"(c) Notwithstanding the exception in subsection (a) of this section, entitlement derived under such subsection (a) shall include eligibility for any of the purposes specified in sections 1813 and 1815, and business loans under section 1814 of this title, if (1) the veteran previously derived entitlement to the benefits of this chapter based on service during World War II or the Korean conflict, and (2) he has not used any of his entitlement derived from such service.

"(d) Any entitlement to the benefits of this section which had not expired as of the date of enactment of the Veterans' Housing Act of 1970 and any entitlement to such benefits accruing after such date shall not expire until used."

SEC. 3. Section 1810 of title 38, United States Code, is amended by—

(1) adding the following new clause after clause (4) of subsection (a):

"(5) To refinance existing mortgage loans or other liens which are secured of record on a dwelling or farm residence owned and occupied by him as his home. Nothing in this chapter shall preclude a veteran from paying to a lender any discount required by such lender in connection with such refinancing."; and

(2) adding at the end of that section the following new subsection:

"(d) Nothing in this chapter shall be deemed to preclude the guaranty of a loan to an eligible veteran to purchase a one-family residential unit to be owned and occupied by him as a home in a condominium housing development or project as to which the Secretary of Housing and Urban Development has issued, under section 234 of the National Housing Act, as amended (12 U.S.C. 1715y), evidence of insurance on at least one loan for the purchase of a one-family unit. The Administrator shall guarantee loans to veterans on such residential units when such loans meet those requirements of this chapter which he shall, by regulation, determine to be applicable to such loans."

SEC. 4. Section 1811 of title 38, United States Code, is amended—

(1) by striking out "1810" in subsection (a) and (b) inserting in lieu thereof: "1810 or 1819";

(2) by striking out the second sentence of subsection (b) and inserting in lieu thereof the following: "He shall, with respect to any such area, make, or enter into commitments to make, to any veteran eligible under this title, a loan for any or all of the purposes described in section 1810(a) or 1819 of this title.";

(3) by inserting after "guaranteed home loans" the phrase "or mobile home loans, as appropriate" in subsection (c)(1), and by striking out in such subsection "1810 of this title" and inserting in lieu thereof "1810 or 1819 of this title, as appropriate";

(4) by inserting after "guaranteed home loans" in subsection (d)(1) the phrase "or mobile home loans, as appropriate";

(5) by striking out "The" in subsection (d)(2) and inserting in lieu thereof "(A) Except for any loan made under this chapter for the purposes described in section 1819 of this title, the";

(6) by inserting immediately after subsection (d)(2) (as amended by clause (4) above) the following new paragraph:

"(B) The original principal amount of any loan made under this section for the purposes described in section 1819 of this title shall not exceed the amount specified by the Administrator pursuant to subsection (d) of such section.";

(7) by striking out "1810 of this title" in subsection (g) and inserting in lieu thereof "1810 or 1819 of this title, as appropriate"; and

(8) by striking out subsections (h), (i), and (j) and inserting in lieu thereof the following:

"(h) The Administrator may exempt dwellings constructed through assistance provided by this section from the minimum land planning and subdivision requirements prescribed pursuant to subsection (a) of section 1804 of this title, and with respect to such dwellings may prescribe special minimum land planning and subdivision requirements which shall be in keeping with the general housing facilities in the locality but shall require that such dwellings meet minimum requirements of structural soundness and general acceptability.

"(i) The Administrator is authorized, without regard to the provisions of subsections (a), (b), and (c) of this section, to make or enter into a commitment to make a loan to any veteran to assist the veteran in acquiring a specially adapted housing unit authorized under chapter 21 of this title, if the veteran is determined to be eligible for the benefits of such chapter 21, and is eligible for loan guaranty benefits under this chapter.

"(j)(1) If any builder or sponsor proposes to construct one or more dwellings in a housing credit shortage area, or in any area for a veteran who is determined to be eligible for assistance in acquiring a specially adapted housing unit under chapter 21 of this title, the Administrator may enter into commitment with such builder or sponsor, under which funds available for loans under this section will be reserved for a period not in excess of three months, or such longer period as the Administrator may authorize to meet the needs in any particular case, for the purpose of making loans to veterans to purchase such dwellings. Such commitment may not be assigned or transferred except with the written approval of the Administrator. The Administrator shall not enter into any such commitment unless such builder or sponsor pays a nonrefundable commitment fee to the Administrator in an amount determined by the Administrator, not to exceed 2 per centum of the funds reserved for such builder or sponsor.

"(2) Whenever the Administrator finds that a dwelling with respect to which funds are being reserved under this subsection has been sold, or contracted to be sold, to a veteran eligible for a direct loan under this section, the Administrator shall enter into a commitment to make the veteran a loan for the purchase of such dwelling. With respect to any loan made to an eligible veteran under this subsection, the Administrator may make advances during the construction of the dwelling, up to a maximum in advances of (A) the cost of the land plus (B) 80 per centum of the value of the construction in place."

SEC. 5. Subchapter II of chapter 37 of title 38, United States Code, is amended by adding at the end thereof the following new section:

"§ 1819. Loans to purchase mobile homes and mobile home lots

"(a) Notwithstanding any other provision of this chapter, any veteran eligible for loan guaranty benefits under this chapter who has maximum home loan guaranty entitlement available for use shall be eligible for the mobile home loan guaranty benefit under this section. Use of the mobile home loan guaranty benefit provided by this section shall preclude the use of any home loan guaranty entitlement under any other section of this chapter until the mobile home loan guaranteed under this section has been paid in full.

"(b) Subject to the limitations in subsection (d) of this section, a loan to purchase a mobile home under this section may include (or be augmented by a separate loan for) (1) an amount to finance the acquisition of a lot on which to place such home, and (2) an additional amount to pay expenses reasonably necessary for the appropriate preparation of such a lot, including, but not limited to, the installation of utility connections, sanitary facilities and paving, and the construction of a suitable pad.

"(c)(1) Any loan to a veteran eligible under subsection (a) shall be guaranteed by the Administrator if (1) the loan is for the purpose of purchasing a new mobile home or for the purchase of a used mobile home which is the security for a prior loan guaranteed or made under this section or for a loan guaranteed, insured or made by another Federal agency, and (2) the loan complies in all other respects with the requirements of this section. Loans for such purpose (including those which will also finance the acquisition of a lot or site preparation as authorized by subsection (b) of this section) shall be submitted to the Administrator for approval prior to loan closing except that the Administrator may exempt any lender of a class listed in section 1802(d) of this title from compliance with such prior approval requirement if he determines that the experience of such lender or class of lenders in mobile home financing warrants such exemption.

"(2) Upon determining that a loan submitted for prior approval is eligible for guaranty under this section, the Administrator shall issue a commitment to guarantee such loan and shall thereafter guarantee the loan when made if such loan qualifies therefor in all respects.

"(3) The Administrator's guaranty shall not exceed 30 per centum of the loan, including any amount for lot acquisition and site preparation, and payment of such guaranty shall be made only after liquidation of the security for the loan and the filing of an accounting with the Administrator. In any such accounting the Administrator shall permit to be included therein accrued unpaid interest from the date of the first uncured default to such cutoff date as the Administrator may establish, and he shall allow the holder of the loan to charge against the liquidation or resale proceeds, accrued interest from the cutoff date established to such further date as he may determine and such costs and expenses as he determines to be reasonable and proper. The liability of the United States under the guaranty provided for by this section shall decrease or increase pro rata with any decrease or increase of the amount of the unpaid portion of the obligation.

"(d)(1) The Administrator shall establish a loan maximum for each type of loan authorized by this section. In the case of a new mobile home, the Administrator may establish a maximum loan amount based on the manufacturer's invoice cost to the dealer and such other cost factors as the Administrator considers proper to take into account. In the case of a used mobile home, the Administrator shall establish a maximum loan amount based on his determination of the reasonable value of the property. In the case of any lot on which to place a mobile home financed through the assistance of this section and in the case of necessary site preparation, the loan amount shall not be increased by an amount in excess of the reasonable value of such lot or an amount appropriate to cover the cost of necessary site preparation or both, as determined by the Administrator.

"(2) The maximum permissible loan amounts and the term for which the loans are made shall not exceed—

"(A) $10,000 for twelve years and thirty-two days in the case of a loan covering the purchase of a mobile home only, and such additional amount as is determined by the

Administrator to be appropriate to cover the cost of necessary site preparation where the veteran owns the lot, or

"(B) $15,000 (but not to exceed $10,000 for the mobile home) for fifteen years and thirty-two days in the case of a loan covering the purchase of a mobile home and an undeveloped lot on which to place such home, and such additional amount as is determined by the Administrator to be appropriate to cover the cost of necessary site preparation, or

"(C) $17,500 (but not to exceed $10,000 for the mobile home) for fifteen years and thirty-two days in the case of a loan covering the purchase of a mobile home and a suitably developed lot on which to place such home.

"(3) Such limitations set forth in paragraph (2) of this subsection on the amount and term of any loan shall not be deemed to preclude the Administrator, under regulations which he shall prescribe, from consenting to necessary advances for the protection of the security or the holder's lien, or to a reasonable extension of the term or reamortization of such loan.

"(e) No loan shall be guaranteed under this section unless—

"(1) the loan is repayable in approximately equal monthly installments;

"(2) the terms of repayment bear a proper relationship to the veteran's present and anticipated income and expenses, and the veteran is a satisfactory credit risk, taking into account the purpose of this program to make available lower cost housing to low and lower income veterans, especially those who have been recently discharged or released from active military, naval, or air service, who may not have previously established credit ratings;

"(3) the loan is secured by a first lien on the mobile home and any lot acquired or improved with the proceeds of the loan;

"(4) the amount of the loan, subject to the maximums established in subparagraph (d) of this section, is not in excess of the maximum amount prescribed by the Administrator;

"(5) the veteran certifies, in such form as the Administrator shall prescribe, that he will personally occupy the property as his home;

"(6) the mobile home is or will be placed on a site which meets specifications which the Administrator shall establish by regulation; and

"(7) the interest rate to be charged on the loan does not exceed the permissible rate established by the Administrator.

"(f) The Administrator shall establish such rate of interest for mobile home loans as he determines to be necessary in order to assure a reasonable supply of mobile home loan financing for veterans under this section.

"(g) Entitlement to the loan guaranty benefit used under this section shall be restored a single time for any veteran by the Administrator provided the first loan has been repaid in full.

"(h) The Administrator shall promulgate such regulations as he determines to be necessary or appropriate in order to fully implement the provisions of this section, and such regulations may specify which provisions in other sections of this chapter he determines should be applicable to loans guaranteed or made under this section. The Administrator shall have such powers and responsibilities in respect to matters arising under this section as he has in respect to loans guaranteed or made under other sections of this chapter.

"(i) No loan for the purchase of a mobile home shall be guaranteed under this section unless the mobile home and lot, if any, meet or exceed standards for planning, construction, and general acceptability as prescribed by the Administrator. Such standards shall be designed to encourage the maintenance and development of sites for mobile homes which will be attractive residential areas and which will be free from, and not substantially contribute to, adverse scenic or environmental conditions. For the purpose of assuring compliance with such standards, the Administrator shall from time to time inspect the manufacturing process of mobile homes to be sold to veterans and conduct random onsite inspections of mobile homes purchased with assistance under this chapter.

"(j) The Administrator shall require the manufacturer to become a warrantor of any new mobile home which is approved for purchase with financing through the assistance of this chapter and to furnish to the purchaser a written warranty in such form as the Administrator shall require. Such warranty shall include (1) a specific statement that the mobile home meets the standards prescribed by the Administrator pursuant to the provisions of subsection (i) of this section; and (2) a provision that the warrantor's liability to the purchaser or owner is limited under the warranty to instances of substantial nonconformity to such standards which become evident within one year from date of purchase and as to which the purchaser or owner gives written notice to the warrantor not later than ten days after the end of the warranty period. The warranty prescribed herein shall be in addition to, and not in derogation of, all other rights and privileges which such purchaser or owner may have under any other law or instrument and shall so provide in the warranty document.

"(k) Subject to notice and opportunity for a hearing, the Administrator is authorized to deny guaranteed or direct loan financing in the case of mobile homes constructed by any manufacturer who refuses to permit the inspections provided for in subsection (i) of this section; or in the case of mobile homes which are determined by the Administrator not to conform to the aforesaid standards; or where the manufacturer of mobile homes fails or is unable to discharge his obligations under warranty.

"(l) Subject to notice and opportunity for a hearing, the Administrator may refuse to approve as acceptable any site in a mobile home park or subdivision owned or operated by any person whose rental or sale methods, procedures, requirements, or practices are determined by the Administrator to be unfair or prejudicial to veterans renting or purchasing such sites. The Administrator may also refuse to guarantee or make direct loans for veterans to purchase mobile homes offered for sale by any dealer if substantial deficiencies have been discovered in such homes, or if he determines that there has been a failure or indicated inability of the dealer to discharge contractual liabilities to veterans, or that the type of contract of sale or methods, procedures, or practices pursued by the dealer in the marketing of such properties have been unfair or prejudicial to veteran purchasers.

"(m) The Administrator's annual report to Congress shall, beginning 12 months following the date of enactment of the Veterans' Housing Act of 1970, include a report on operations under this section, including the results of inspections required by subsection (i) of this section, experience with compliance with the warranty required by subsection (j) of this section, and the experience regarding defaults and foreclosures.

"(n) The provisions of section 1804(d) and section 1821 of this chapter shall be fully applicable to lenders making guaranteed mobile home loans and holders of such loans.

"(o) No loans shall be guaranteed or made by the Administrator under the provisions of this section on and after July 1, 1975, except pursuant to commitments issued prior to such date."

SEC. 6. Clause (3) of section 802 of title 38, United States Code, is amended to read as follows:

"(3) where the veteran elects to remodel a dwelling which is not adapted to the requirements of his disability, acquired by him prior to application for assistance under this chapter, the Administrator shall pay not to exceed (A) the cost to the veteran of such remodeling; or (B) 50 per centum of the cost to the veteran of such remodeling; plus the smaller of the following sums: (i) 50 per centum of the cost to the veteran of such dwelling and the necessary land upon which it is situated, or (ii) the full amount of the unpaid balance, if any, of the cost to the veteran of such dwelling and the necessary land upon which it is situated; and".

SEC. 7. The table of sections at the beginning of chapter 37 of title 38 is amended by inserting immediately after

"1818. Veterans who serve after January 31, 1955."

the following:

"1819. Loans to purchase mobile homes and mobile home lots."

SEC. 8. Section 5 of this Act shall become effective sixty days following the date of enactment.

Mr. TEAGUE of Texas (during the reading). Mr. Speaker, I ask unanimous consent that further reading of the motion be dispensed with and that it be printed in the RECORD.

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

There was no objection.

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

The motion was agreed to.

A motion to reconsider was laid on the table.

MOTION TO AMEND TITLE OFFERED BY MR. TEAGUE OF TEXAS

Mr. TEAGUE of Texas. Mr. Speaker, I offer a motion with respect to amending the title of the bill.

The Clerk read as follows:

Mr. TEAGUE of Texas moves to concur in the Senate amendment to the title of the bill, with the following amendment: In lieu of the matter proposed to be inserted by the Senate amendment to the title of the bill, insert the following: "An Act to amend chapter 37 of title 38, United States Code, to authorize guaranteed and direct loans to eligible veterans for mobile homes and lots therefor if used as permanent dwellings, to remove the time limitation on the use of entitlement to benefits under such chapter, and to restore such entitlements which have lapsed prior to use or expiration, to eliminate the guaranteed and direct loan fee collected under such chapter, and for other purposes."

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

The motion was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. TEAGUE of Texas. Mr. Speaker, I ask unanimous consent that all Members may be permitted to revise and extend their remarks in the RECORD on H.R. 16710.

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

There was no objection.

FEDERAL AID IN WILDLIFE RESTORATION ACT AND FEDERAL AID IN FISH RESTORATION ACT AMENDMENTS

Mr. DINGELL. Mr. Speaker, I ask unanimous consent to take from the Speaker's desk the bill (H.R. 12475) to revise and clarify the Federal Aid in Wildlife Restoration Act and the Federal Aid in Fish Restoration Act, and for other purposes, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the bill.

The Clerk read the Senate amendments, as follows:

Amendments:

Page 8, line 24 strike out "4(h)" and insert "4(b)".

Page 8, line 24, strike out "50" and insert "75".

Page 16, line 19, after "Guam," insert "the Governor of American Samoa,".

Page 16, line 23, after "Guam," insert "American Samoa,".

Page 17, line 2, after "centum" insert ", for American Samoa one-third of 1 per centum,".

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

Mr. ARENDS. Mr. Speaker, reserving the right to object—and I shall not object—will the gentleman please explain these amendments? I understand the ranking Republican member of the committee.

Mr. DINGELL. Mr. Speaker, the gentleman is entirely correct. The matter has been discussed in detail with my friend and colleague the gentleman from Washington (Mr. PELLY), the ranking minority member of the subcommittee, and we are in harmony that the bill should be passed with the Senate amendments.

The amendments are as follows:

With respect to the funds that would be apportioned to the States supporting hunter safety programs, H.R. 12475, as it passed the House, would authorize the Federal Government to pay up to 50 percent of the cost of carrying out such programs. The Senate amended this provision of the bill to authorize the Federal Government to pay up to 75 percent of such cost. The amendment would have the effect of making the program consistent with wildlife restoration programs which are now carried out under the act on a 75–25 basis.

H.R. 12475 amends both the Federal aid in Wildlife Restoration Act—Pittman-Robertson Act—and the Fish Restoration Act—Dingell-Johnson Act. The Senate amended the bill to authorize American Samoa to be eligible to receive benefits under the Dingell-Johnson Act only. This puts American Samoa on an equal basis with Guam. Also, there was one technical amendment, to change "(h)" to "(b)" on page 8 line 24 of the bill.

Mr. ARENDS. Mr. Speaker, I withdraw my reservation of objection.

Mr. DINGELL. I thank my good friend.

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

GRANTING CONSENT OF CONGRESS TO AGREEMENT BETWEEN FLORIDA AND GEORGIA ESTABLISHING BOUNDARY BETWEEN SUCH STATES

Mr. KASTENMEIER. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 165) granting the consent of the Congress to an agreement between the State of Florida and the State of Georgia establishing a boundary between such States.

The Clerk read the title of the joint resolution.

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

Mr. POFF. Mr. Speaker, reserving the right to object—I do so not because I am opposed to the resolution; rather, I support it—I do so in order that the distinguished gentleman from Wisconsin may make a severely abbreviated statement of the purposes of the joint resolution.

Mr. KASTENMEIER. Mr. Speaker, if the gentleman will yield under his reservation, I will be pleased to inform the House as to what this joint resolution does.

Mr. POFF. I yield to the gentleman.

Mr. KASTENMEIER. Mr. Speaker, this joint resolution grants the consent of Congress to an agreement between Florida and Georgia establishing their mutual boundary. A companion House measure, House Joint Resolution 992, was referred to and is pending in the Committee on the Judiciary. The agreement is evidenced by identical legislation approved by the two Governors in 1969.

Copies of these enactments are in the committee's files. They both provide that the legislation shall not become effective until and unless by November 1, 1970, the Congress shall consent thereto.

Therefore, if we fail to act this week, the two States will have to start over from the beginning.

Because of this time urgency I am making this unanimous-consent request which has been cleared with the minority.

Mr. POFF. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution as follows:

S.J. RES. 165

Whereas the Legislature of the State of Florida passed an act amending section 6.09 Florida Statutes, relating to the boundary between the States of Florida and Georgia, which was approved by the Governor of the State of Florida on April 25, 1969; and

Whereas the Legislature of the State of Georgia passed an act amending Georgia Code section 15–105, relating to the boundary between such States, which was approved by the Governor of Georgia on April 25, 1969; and

Whereas such acts both provide in substance that such acts would be effective only if the Congress of the United States ratifies, confirms, adopts, or otherwise consents to the effect of such acts by November 1, 1970; and

Whereas such acts both provided in substance that the boundary between such States at the mouth of the Saint Marys River and adjacent thereto should be as follows: From a point 37 links north of Ellicotts Mound on the Saint Marys River; thence down said river to the Atlantic Ocean; thence along the middle of the presently existing Saint Marys entrance navigational channel to the point of intersection with a hypothetical line connecting the seward-most points of the jetties now protecting such channel; thence along said line to a control point of latitude 30 degrees 42 minutes 45.6 seconds north, longitude 81 degrees 24 minutes 15.9 seconds west; thence due east to the seaward limit of Georgia and Florida as now or hereafter fixed by the Congress of the United States; such boundary to be extended on the same true 90-degree bearing so far as a need for further delimitation may arise; and

Whereas such acts of the States of Florida and Georgia constitute an agreement between such States establishing a boundary line between them: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the consent of the Congress is hereby granted to such agreement and to the establishment of such boundary, and such acts of the States of Florida and Georgia are hereby approved.

SEC. 2. The Secretary of Commerce is hereby authorized, empowered, and instructed to survey and properly mark by suitable monuments the seaward boundary between the State of Florida and State of Georgia, and so much of the interior boundary as is considered necessary by the two States, and the necessary appropriations for this work are hereby authorized.

SEC. 3. The right to alter, amend, or repeal this Act is expressly reserved.

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

POINT OF ORDER WITHHELD

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

The SPEAKER. Will the gentleman withhold his point of order until unanimous-consent requests are heard?

Mr. HALL. I will ask the Chair if we intend to transact any more legislative business before the important business of establishing a quorum.

The SPEAKER. Will the gentleman withhold his request at this time?

Mr. HALL. I will withhold it, Mr. Speaker, providing there is no call for additional legislative business.

The SPEAKER. The gentleman can rest assured on that premise.

Mr. HALL. Then, I will withhold my point of order, Mr. Speaker.

THE APOSTLE PAUL ON PROVIDING GUARANTEED INCOMES

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

Mr. PASSMAN. Mr. Speaker, in this day, when the Federal Government is talking about providing a guaranteed income for everyone, regardless of whether or not he works, we wonder what the Apostle Paul of Christ's time on earth would have said on that subject.

To find out what Paul thought in the day in which he did live, we have only to read II Thessalonians, chapter 3, verses 10 and 11, in which he said:

For even when we were with you, this we commanded you, that if any would not work, neither should he eat. For we hear that there are some which walk among you disorderly, working not at all, but are busybodies.

Mr. Speaker, I want to commend our President for his announcement that the wasteful, ineffective, corrupt, unnecessary, so-called war on poverty program, OEO, which also places a premium on laziness, will be reduced by 50 percent. It is to be regretted he did not make it 100 percent.

PRESIDENT'S VETO A TRIUMPH FOR THE "HIDDEN PERSUADERS"

(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, in vetoing the political broadcasting bill yesterday, President Nixon has opted for politics over reform.

In the crunch of a midterm election, it was perhaps too much to expect anything else. But Mr. Nixon may discover that his effort to play "smart" politics is in fact the worst possible politics.

Intended, no doubt, to protect and perpetuate the financial advantage of Republicans, the veto gives a green light to all the big spenders. It tells the Salvatoris, the Lamar Hunts, the Clement Stones: "You can buy anything, including your Government."

I sense the American public looks with cynicism on the ever-mounting cost of political campaigns. In my home city of San Diego, we have just seen the indictment of nine leading local political figures on charges of bribery and conspiracy stemming mainly from the raising of campaign funds.

The contention that this bill somehow discriminates against broadcasters just does not wash. The bill recognizes the obvious: that skyrocketing campaign expenses are due primarily to the growing use of television—the major source of news for most Americans in political campaigns.

The legislation Mr. Nixon has vetoed reflected determination by Congress to meet this problem. I regret that the President has turned his back on congressional Republicans and Democrats alike, heeding instead the "hidden persuaders."

PRESIDENT NIXON'S VETO OF CAMPAIGN EXPENDITURE LEGISLATION

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

Mr. HAYS. Mr. Speaker, I for one was not surprised at all at the President's veto of the campaign expenditures election legislation because I would have thought he would want the best Republicans elected that money could buy.

POLITICAL BROADCASTING BILL

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

Mr. TIERNAN. Mr. Speaker, yesterday, the President of the United States went on record as antireform and pro-excessive spending. By vetoing the political broadcasting bill, Mr. Nixon was rejecting the most promising reform in the area of campaign spending since the Corrupt Practices Act. He was rejecting a bill which was supported by a firm majority in each House of Congress, was supported by the Federal Communications Commission and by a good cross-section of prominent business and union leaders.

Surely the President does not think he can dupe the people of America who are fed up with fancy rhetoric, in his attempts to cover up partisan, self-serving actions. Mr. Nixon's words talk of reform and noninflationary spending, but his actions prove otherwise. By vetoing the political broadcasting bill, the President is telling the country that he does not really believe Americans want a change in campaign policies and that they are not sick and tired of politicians "buying" elections. This move by the President is clearly a mistake.

One wonders why the President has become so self-assured that he thinks he can flaunt the will of the people and give them platitudes instead of genuine reform. The political broadcasting bill is a truly innovative piece of reform legislation aimed at limiting outrageous campaign spending. It also repeals the equal-time provisions of section 315(a) of the Communications Act of 1934 with respect to presidential and vice presidential candidates. This is clearly in the interest of the public, which deserves to be kept informed in order to make an intelligent choice on election day.

One also wonders whether the President is living in the shadow of the 1960 television debates with John F. Kennedy, and now is choosing, by this veto, to isolate himself from the possibility of being embarrassed into another debate in 1972. It is a sad commentary that the President should put this own partisan and personal interest over that of the people he was elected to serve and represent.

On September 11, 1970, President Nixon issued a call for cooperation to the Congress of the United States. At that time he stated his belief that "as we enter the seventies we should enter also a great age of reform of the institutions of American Government." It is inconceivable that the President can urge the Congress to cooperate in reform, while he blatantly fails to cooperate in the reformation of runaway campaign spending which goes to the heart of good government.

President Nixon's reasons for the veto are so shabby that they do not even deserve the courtesy of a detailed rebuttal. It is unfortunate that the leader of our Nation has decided to take a reactionary and partisan tack, rather than come out for a step toward true reform.

As long as the President continues to kill off genuine reform legislation in the campaign area, vested interests and the superrich will continue to buy elections outright and control candidates, while the public is forced to wait and wonder. The course which the President has chosen is that of the politician and not that of a true leader.

POINT OF ORDER WITHHELD

The SPEAKER pro temopre. Does the gentleman from Missouri (Mr. HALL) renew his point of order that a quorum is not present?

Mr. HALL. Mr. Speaker, I withhold that request.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES

The SPEAKER pro tempore (Mr. ALBERT) laid before the House a message from the President of the United States.

CALL OF THE HOUSE

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

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

Mr. FASCELL. 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. 339]

Adair	Fallon	Moorhead
Alexander	Farbstein	Morse
Aspinall	Fisher	Murphy, N.Y.
Beall, Md.	Ford, Gerald R.	O'Konski
Berry	Ford, William D.	Olsen
Blaggi	Fulton, Tenn.	O'Neal, Ga.
Blanton	Gallagher	Ottinger
Blatnik	Gialmo	Patman
Boggs	Gilbert	Pelly
Brock	Goldwater	Philbin
Brooks	Green, Oreg.	Pollock
Burke, Fla.	Griffiths	Powell
Burton, Utah	Gross	Preyer, N.C.
Bush	Gubser	Price, Tex.
Button	Gude	Purcell
Cabell	Haley	Reid, N.Y.
Casey	Halpern	Reifel
Celler	Hanley	Rhodes
Chamberlain	Hanna	Robison
Chisholm	Hansen, Wash.	Rodino
Clancy	Harvey	Roe
Clark	Hébert	Rogers, Colo.
Clay	Heckler, Mass.	Rosenthal
Collins	Helstoski	Roudebush
Conyers	Henderson	Rousselot
Corman	Horton	Ruppe
Cowger	Hunt	Scheuer
Cramer	Jarman	Shipley
Crane	Jones, N.C.	Sikes
Daddario	King	Skubitz
Davis, Ga.	Leggett	Snyder
Dawson	Lloyd	Stratton
de la Garza	Lowenstein	Symington
Delaney	Lujan	Taft
Diggs	Lukens	Talcott
Dowdy	McCloskey	Taylor
Dulski	McDade	Teague, Tex.
Dwyer	MacGregor	Thompson, N.J.
Eckhardt	Maillliard	Tunney
Edmondson	Meskill	Udall
Edwards, La.	Mills	Weicker
Erlenborn	Mizell	Wold
Evans, Colo.		Wright

The SPEAKER pro tempore. (Mr. ALBERT). On this rollcall 301 Members have answered to their names, a quorum.

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

ANNUAL REPORT ON U.S. PARTICIPATION IN THE UNITED NATIONS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. 91-280)

The SPEAKER pro tempore (Mr. ALBERT). The Clerk will read the message from the President of the United States.

The Clerk read as follows:

To the Congress of the United States:

In accordance with the provisions of the United Nations Participation Act of 1945, I hereby transmit to the Congress the Annual Report on United States participation in the United Nations. This report covers the events of the calendar year 1969, the first year of my Administration.

In my address to the 24th General Assembly on September 18, 1969, and in my Foreign Policy Report to the Congress on February 18, 1970, I reaffirmed America's enduring commitment to the support and strengthening of the United Nations Organization. In addition, I took note of some of the steps taken by the United States in 1969 to demonstrate and carry out this commitment. This report covers these matters in greater detail.

The United States strove in 1969, and will strive in the future, to contribute to the success of the United Nations in the fields of diplomacy and peacekeeping and in the promotion of arms control, international law, economic progress, and human rights.

It is gratifying to me, as we celebrate the 25th anniversary of the founding of the United Nations, to add this volume to the record of United States participation.

RICHARD NIXON.

THE WHITE HOUSE, *October 13, 1970.*

The message of the President, together with accompanying papers, was, without objection, referred by the Speaker pro tempore (Mr. ALBERT) to the Committee on Foreign Affairs and ordered to be printed.

EMPLOYEES FORM CORPORATION TO BUY CHICAGO AND NORTH WESTERN RAILROAD

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

Mr. ROSTENKOWSKI. Mr. Speaker, a corporation formed by a group of North Western railroad employees, headed by Larry S. Provo, has executed a contract to buy the assets of that railroad. The employee corporation has filed an application with the Interstate Commerce Commission for approval of the transaction covered by the contract.

The Chicago and North Western railroad is based in Chicago and serves important industrial and rural areas in Illinois, as well as in 10 other States. It is well over 100 years old and has had good times and bad, but at all times it has been vital to the economy of the Middle West. It is noted throughout the United States for providing one of the Nation's best commuter services. We are proud of that railroad and I speak today because this new development makes me even more proud.

Almost all of the top 40 railroad officers have committed themselves to purchase stock in the new employee company. Stock will be offered to every employee of that corporation on the same terms once the Interstate Commerce Commission approves the purchase. In these times when we hear about a bankrupt Penn Central, crisis after crisis in railroad labor-management relations and complaints about conglomerate ownership of railroads, this proposal before the Interstate Commerce Commission is a most encouraging sign. If the Commission approves this transaction promptly, I foresee a renewal in one segment of the railroad industry. I believe that an employee-owned railroad will be dedicated to improved service, will be aggressive in finding ways to perform profitably that improved service, and will point the way to the solution of chronic labor-management crises. I know that my colleagues in the other 10 States served by the North Western join with me in supporting this transaction.

CONFERENCE REPORT ON H.R. 17604, MILITARY CONSTRUCTION AUTHORIZATION, 1971

Mr. RIVERS. Mr. Speaker, I call up the conference report on the bill (H.R. 17604) to authorize certain construction at military installations, 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 South Carolina?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 12, 1970.)

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

Mr. Speaker, I will be very brief with this report, since there is no controversy or opposition to it.

Mr. Speaker, on May 20, 1970, the House passed the fiscal year 1971 military construction authorization bill, H.R. 17604, in the total amount of $1,999,365,000.

On September 29, 1970, the Senate considered this legislation and provided new authorizations in the total amount of $1,654,527,000.

As a result of a conference, House and Senate conferees worked out the differences and agreed to a new adjusted authorization for military construction for fiscal year 1971 in the amount of $1,667,154,000.

The Department of Defense and the respective military departments had requested a total of $2,060,094,000 for new construction authorized for fiscal year 1971. This amount included $334 million for ABM-related construction later transferred by the Senate to the military procurement bill. The action of the conferees, therefore, with the transfer of $334 million to the procurement bill, reduces this departmental request by $58,940,000 rather than $392,940,000 as would first appear.

The Senate, during their consideration of the bill, added certain provisions with which the House conferees could not agree, and compromise language was worked out. One of the sections added by the Senate would provide assistance to local communities near Grand Forks Air Force Base, N. Dak., and Malmstrom Air Force Base, Mont., which will have to provide increased services and facilities arising from the construction and operation of the proposed ABM sites. House conferees agreed that financial assistance to these small communities would be necessary, but the Senate language provided open-ended authorization with no limitation on the amount to be spent from moneys appropriated for ABM purposes. House conferees insisted that the section be amended to provide that beginning with fiscal year 1972, no funds could be used unless specifically authorized in an annual military construction authorization act.

Another section added by the Senate was one to require an in-depth study of the Culebra problem that has been under discussion for some time now. One section of the Senate amendment was a direction to the Navy to terminate all range activity on or near the cays off of the east coast of the island of Culebra and within 3 nautical miles of the east coast not later than January 1972 unless the President of the United States made a determination that the national security requires continuation of such activities beyond that date. House conferees were in agreement with the study which is to be completed and sent to the President and the Committees on Armed Services of the Senate and House of Representatives not later than April 1, 1971. However, House conferees insisted that the section directing the Navy to terminate all activity by a certain date must be stricken. The Senate receded.

In the language regarding architectural and engineering contracts in Section 604, it is the intendment of the Congress that architectural and engineering contracts should not be awarded through the competitive bidding procedure, as now proposed in a pilot program by the Department of Defense, unless specifically authorized by the Congress. It was the unanimous and enthusiastic agreement among the conferees that contracts for the services of architectural and engineering firms should continue to be awarded in accordance with presently established procedures, customs, and practices.

As in all conferences, it was necessary to compromise on individual line items

requested by the services, and in some instances valid items were left out of the program. However, your conferees did the best they could and believe that they have brought to the House a good bill that will provide adequately for construction needs of the military during this fiscal year, and I urge the adoption of the conference report.

Mr. RIVERS. Mr. Speaker, I yield 7 minutes to the Resident Commissioner of Puerto Rico (Mr. CÓRDOVA).

Mr. CÓRDOVA. Mr. Speaker, I would be remiss in my duty to my people and to the Congress if I did not express here the feeling of disappointment and uneasiness, if I may be permitted the luxury of understatement, with which the news of the conference recommendations respecting the people of Culebra in the report now before this House was received by me and by my constituents over all of Puerto Rico.

I know that the distinguished chairman of the House Armed Services Committee, and indeed all of the House conferees feel that the recommendations are reasonable and fair. It is certainly true that while the report contains the recommendations that the evacuation of Culebra and the resettlement of its people elsewhere be considered in a comprehensive report to be prepared by the Department of Defense covering the Navy activities in Culebra it is provided that the Culebrans will not be resettled unless a majority of their electors approves the resettlement.

That, on the face of it, and to those who are not aware of the background against which this proposal is made would seem to be fair enough. Why fear the results of a report if you are given a chance to approve or reject it?

The answer is that the report will cover all phases of the Navy activities in Culebra, all phases of the use of Culebra as a weapons range by the Navy; that is, it will permit the Department of Defense to dictate to the Culebrans the alternative to resettlement. They may vote on resettlement, but they may not vote on the alternative. And the people of Culebra have already been told in the past, when the Navy was insisting on resettlement, what the alternative would be. Here is the alternative, in the words of the commanding officer of the Navy at the time, in a letter which he addressed less than a year ago to a citizen of Puerto Rico who proposed to construct weekend cottages on a part of Culebra:

> Culebra Island is a keystone in the Atlantic Fleet weapons range, which encompasses Naval Station Roosevelt Roads, nearby Vieques Island and thousands of square miles of ocean area. This large complex is expanding and operations are becoming increasingly intensive, frequently being conducted through seven days of the week. As such use increases, inhabitants of nearby areas such as your property will be subjected to the noise of supersonic booms, gunfire, rocket fire, and heavy air traffic.

It is disheartening to learn that the Department of Defense will now have the opportunity to prepare a report which may well offer what the Department may consider a generous resettlement, but which the Culebrans must know will also tell them that their alternative will be to live under the conditions described in the letter from which I have quoted.

I fully realize, Mr. Speaker, that the report to be prepared by the Department of Defense is to be made after consultation with the government of Puerto Rico and the people of Culebra. That can hardly allay the fears of anyone. After consulting, it is obvious that the Department will pay to the Culebrans, to the people of Puerto Rico and to the Governor of Puerto Rico no more attention than that Department has given them up to now.

Fortunately, the conference report also provides that the report of the Department of Defense will be submitted to the President and to both Houses of Congress for their consideration. I have faith in the fairness of our colleagues and of the President. I know of their good will toward Puerto Rico, a feeling which, as far as this House was concerned, was so eloquently expressed on September 15 on the floor of the House by so many of its Members. But I feel it necessary to request whatever assurance the distinguished chairman of the House Committee on Armed Services can give the people of Puerto Rico that the Department of Defense will not dictate terms on Culebra, that it will submit a report which will be considered carefully in committee and by this House. I know that if the Department of Defense is made aware from the beginning that there is no intention of allowing it to make terms for Culebra, the report will be quite different than it otherwise might be. I might add, Mr. Speaker, that it has been particularly unfortunate to bring up again the question of the resettlement of the people of Culebra. Only a few weeks ago on September 23, 1970, the Secretary of the Navy wrote the Honorable HENRY M. JACKSON a letter containing the following paragraph:

> Despite many instances of good community relations in the past, it is fair to say that the Navy did not pay sufficient attention to the needs and desires of the people of Culebra. Part of the reason was that the Navy for many years expected the Culebrans to be resettled to some other location in Puerto Rico, both for their benefit and the benefit of the Navy. As you know, we abandoned that plan earlier this year, and now the Navy is making renewed efforts to adjust its training schedules to the desires of the people of Culebra. These efforts are being made in good faith, and we feel that in time most Puerto Ricans will accept them in that light.

It is regrettable that, after announcing publicly that it had abandoned plans to resettle the people of Culebra, the Navy should be now directed to consider anew a plan so dear to its heart.

That is the reason, Mr. Speaker, why the news of this conference report has been so dismaying to me and to my people, and has caused us uneasiness. We are not about to give up the fight for our integrity. We are not about to surrender to any demands the Navy may choose to make. On the other hand, as Americans, we do not want to have to fight the Navy. We would feel much easier in our minds if the Congress understood the situation and if the people of Culebra and of all of Puerto Rico were assured that this conference report does not mean that the Congress proposes to let the Navy have its way.

I cannot overstate the importance of reassuring the people of Culebra that the Congress will make its own evaluation and take its own action on any Navy report for Culebra. It is important that the Culebrans share the assurance that I have of studied consideration of their plight and eventual resolve of their problem.

But we must recognize that damage has already been done, in the best of faith and by the best intentioned of people. I also know that there is still time to repair the damage and to still the fears aroused in my people. Certainly you will find the desire to repair it in the overwhelming majority of the people of Puerto Rico, led by our Governor, Luis A. Ferré, and I need not reiterate my own position. I know that any one of our colleagues can match my loyalty to the Nation, but I am sure none can exceed it. That is why I have felt it my duty to speak out as clearly and frankly as I have spoken.

Mr. RIVERS. Mr. Speaker, I yield such time as he may consume to the gentleman from Florida (Mr. BENNETT) to answer one question.

Mr. BENNETT. Mr. Speaker, I want to have the record clear with regard to this new settlement idea, which is the subject of a bill I have introduced. This is not something anybody is imposing upon the people of Culebra. This is a bill which would provide for a commission to set up for resettlement, if the people of Culebra desire it. Under that bill there would be $10,000 for heads of families and $5,000 for people not heads of families, something which is not given to the ordinary American citizens who live on the mainland whose land is condemned.

It is not a threat, it is not a bribe, but it is an opportunity if the people of Culebra desire it. If this bill is not passed, these benefits would not be available to them.

The people then would have to do as my constituents have to do. They would be paid for the value of the land taken under the condemnation laws of our country. They would get no additional benefits in the way of cash and no additional benefits in the way of resettlement.

American citizens in my district are also endangered because of ammunition stored near them and because of flights over them. There are many people in areas in the United States who have been disturbed by target firing, more so than the people of Culebra, much more disturbed. Some of them have lived in their homes for hundreds of years—and I know of none such on Culebra.

Mr. Speaker, this matter should be considered in perspective. The bill which I have introduced should not be used as a symbol of either threat or bribe. It involves additional benefits for the people of Culebra if they ask for them, benefits which have never before been given to American citizens on the mainland or anywhere else in the world. So I do think this bill I have introduced should not be construed as something imposed on Culebrans or unfavorable to Culebrans.

They do not have to have its provisions if they do not wish them. It provides for a plebiscite. It is up to them to speak.

Mr. CÓRDOVA. Mr. Speaker, will the gentleman yield.

Mr. BENNETT. I yield to the Resident Commissioner.

Mr. CÓRDOVA. Mr. Speaker, I wish to make it clear that I was not referring to the gentleman's bill. I was referring exclusively to the conference report. The bill of the gentleman from Florida does not tie resettlement to a Navy report on the use of the weapons range in Culebra. The conference report does tie the two things in, and that, to me, is vital. That, to me, is extremely important. Under the bill introduced by the gentleman from Florida, the people of Culebra will have full say on whether they will accept the resettlement which the gentleman from Florida offers, or not. They will not be under the threat of the alternative of a plan of what will happen to them if they do not accept the resettlement which is being offered by the gentleman from Florida.

That is the difference. That is why I offered no criticism. On the contrary, I must recognize the good faith of the gentleman from Florida, who is interested in the welfare of the people of Culebra, and who has offered this settlement which is deeply ingrained in the interests of the people of Culebra. I think there is a good possibility a plan of that nature could be in the best interests of the people of Culebra, if it were not tied to the threat of shelling of the people of Culebra by the Navy of the United States.

Mr. RIVERS. Mr. Speaker, I want to say to the distinguished gentleman from Puerto Rico that on page 22 of the conference report he will find some answers to the question, and also on page 34. These are some of the elements in the study. I do not know who will be chairman of the Armed Services Committee in their next session.

Whoever is, I suspect, will read this report and act accordingly. The resettlement question is simply one element in the study which the DOD is directed to make.

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

Mr. RIVERS. I yield to the gentleman.

Mr. CÓRDOVA. I wish to express to the gentleman my recognition of the assurance he has just given.

Mr. RIVERS. Furthermore, the distinguished gentleman has acted in the greatest of cooperation with all of us. We regard these people as being just as valuable as any other American, and we regard the gentleman as just as fine a representative as I have seen from Puerto Rico since I have been in Congress. I can assure the gentleman our committee is not going to run over anybody in Culebra nor permit the Department of Defense to do so.

Mr. CÓRDOVA. I thank the gentleman.

Mr. RIVERS. Mr. Speaker, I yield such time as he may consume to the distinguished ranking minority member of the committee, the gentleman from Illinois (Mr. ARENDS).

(By unanimous consent, Mr. ARENDS was allowed to speak out of order.)

CITATION FOR MERITORIOUS SERVICE OF 1ST LT. JAMES C. MAY

Mr. ARENDS. Mr. Speaker, I do not believe that the general public recognizes that many Members of Congress serving here today have sons wearing the uniform of our country, fighting in Vietnam, and courageously offering their lives in defense of freedom and for the realization of permanent peace.

I rise to extend to our distinguished colleague, CATHERINE MAY, of Washington, my heartiest congratulations on her son, 1st Lt. James C. May, having been recently awarded the Bronze Star "for meritorious service in connection with combat operations against the enemy in the Republic of Vietnam while serving with the 3d Battalion, 1st Marines, 1st Division from September 18, 1968, to May 8, 1970." Those are words from the citation given him by the President of the United States. It sets forth in detail the nature of his courageous leadership and devotion to duty, stating that "he repeatedly distinguished himself by his courage and composure under fire." Congresswoman MAY's son is 24 years old. He attended the University of Washington and in June of 1967 enlisted in the Marine Corps. He entered the officer training program and volunteered for extended duty overseas for a period of 20 months.

I know that CATHERINE MAY is proud of her son. She has every reason to be. We share her pride.

Not only is this an example of distinguished service of a son of one of our colleagues, it seems to me to also be an example of the quality of our American youth generally. All of us recognize I am sure that the noisy militant minority of young people given to violence and terrorism are by no means representative of the vast majority of our youth. Lieutenant May exemplifies what I believe to be a typical American boy. As long as we have young men like Lieutenant May we need not fear for the future of our country. I ask unanimous consent that the entire citation be made a part of my remarks.

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

There was no objection.

The citation is as follows:

The President of the United States takes pleasure in presenting the Bronze Star Medal to First Lieutenant James C. May, United States Marine Corps Reserve, for service as set forth in the following citation:

"For meritorious service in connection with combat operations against the enemy in the Republic of Vietnam while serving with the Third Battalion, First Marines, First Marine Division from 18 September 1968 to 8 May 1970. Throughout this period, First Lieutenant May performed his duties in an exemplary and highly professional manner. Initially assigned as a Platoon Commander with Company I, he diligently trained his men and quickly molded them into an effective fighting team fully capable of responding to all tactical situations. While participating in several major combat operations, including Operations Oklahoma Hills, Meade River, and Pipestone Canyon, he repeatedly distinguished himself by his courage and composure under fire. On 10 November 1968, while leading his men on a patrol near the Dodge City Area, the platoon came under intense enemy automatic and small arms fire. Quickly assessing the situation, First Lieutenant May deployed his men and maneuvered them into a position to deliver accurate flanking fire at the hostile position. Simultaneously, he directed the delivery of artillery and 81mm mortar fire with devastating accuracy, forcing the enemy to break contact. Reassigned as Executive Officer of Company K on 16 March 1969, and reassigned as Assistant Battalion Operations Officer on 25 October 1969, he worked tirelessly and with meticulous attention to detail to expeditiously accomplish all assigned tasks and consistently provided his unit with outstanding combat support. Subsequently reassigned as the Commanding Officer of Company L on 14 February 1970, he continued to distinguish himself by the superior performance of his duties in an area of vastly increased responsibility. First Lieutenant May's bold initiative, aggressive leadership, and steadfast devotion to duty throughout his tour in the Republic of Vietnam were in keeping with the highest traditions of the Marine Corps and of the United States Naval Service."

The Combat Distinguishing Device is authorized.

For the President,

WILLIAM K. JONES,
Lieutenant General, U.S. Marine Corps, Commanding General, Fleet Marine Force, Pacific.

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

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

Mr. BRAY. I, too, feel a great sense of pride in the great patriotism and the job done by the son of our colleague, and I want to tender to CATHERINE and her son my deepest congratulations and appreciation for a job well done.

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

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

Mr. RIVERS. I want to associate myself with the remarks of the gentleman and to congratulate Mrs. MAY on her wonderful son who has done so much for his country. I know her heart bursts with pride, and we want to share that, because he is a great American.

I am glad the gentleman has made these remarks, Mr. Speaker, and again I wish to associate myself with them.

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

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

Mr. CONABLE. As an old marine, Mr. Speaker, I should like to thank the gentlewoman from Washington for having contributed a son to the best traditions of the Marine Corps. We are proud of him, as we are proud of her for her service in this House.

Mrs. REID of Illinois. Mr. Speaker, as the mother of a former marine, I am very happy to join in paying tribute to Lt. James C. May, the son of our colleague and my good friend, the Honorable CATHERINE MAY.

Lieutenant May's exemplary service record certainly reflects great credit on himself, his family, and his country. As long as our Nation is blessed with young men of his character, integrity, and devotion to duty, our freedom will always be preserved.

Mr. PIRNIE. Mr. Speaker, those of us who have been privileged to know Lt. James C. May, share, with deep sincerity,

pride in his distinguished service record highlighted by the recent award of the Bronze Star for meritorious service in Vietnam. Twelve years ago I entered the Congress with the distinguished mother of this fine marine, the Honorable CATHERINE MAY, of Washington. Thus I have known this lad as he grew from boyhood to real manhood. I have followed his career through boot training, his commissioning, and subsequent service. He has fulfilled the high hopes he early inspired. Just as his mother has rendered outstanding service to her country as a Member of this body, Jim has rendered loyal and efficient service to the Marine Corps. I am confident this well-deserved award is merely a forerunner of comparable recognition to be earned in the years ahead. We congratulate Jim and our colleague.

Mr. RIVERS. Mr. Speaker, I have no further requests for time, and I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

Mr. RIVERS. Mr. Speaker, on that I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 316, nays 20, not voting 93, as follows:

[Roll No. 340]

YEAS—316

Abbitt	Clawson, Del	Gaydos
Abernethy	Cleveland	Gettys
Adams	Cohelan	Giaimo
Addabbo	Collier	Gibbons
Albert	Colmer	Gilbert
Alexander	Conable	Gonzalez
Anderson, Calif.	Conte	Goodling
	Corbett	Gray
Anderson, Ill.	Coughlin	Green, Pa.
Anderson, Tenn.	Crane	Griffin
	Culver	Grover
Andrews, Ala.	Cunningham	Gubser
Andrews, N. Dak.	Daniel, Va.	Gude
	Daniels, N.J.	Hagan
Annunzio	Davis, Wis.	Hall
Arends	de la Garza	Halpern
Ashbrook	Delaney	Hamilton
Ashley	Dellenback	Hammer-schmidt
Ayres	Denney	
Baring	Dennis	Hanley
Barrett	Dent	Hansen, Idaho
Belcher	Derwinski	Harsha
Bell, Calif.	Devine	Hastings
Bennett	Dickinson	Hathaway
Betts	Dingell	Hays
Bevill	Donohue	Helstoski
Biester	Dorn	Hicks
Bingham	Downing	Hogan
Blackburn	Dulski	Holifield
Blatnik	Duncan	Hosmer
Boland	Eckhardt	Howard
Bolling	Edwards, Ala.	Hull
Bow	Ellberg	Hungate
Brademas	Erlenborn	Hutchinson
Brasco	Esch	Ichord
Bray	Eshleman	Jacobs
Brinkley	Evins, Tenn.	Jarman
Broomfield	Fascell	Johnson, Calif.
Brotzman	Feighan	Johnson, Pa.
Brown, Mich.	Findley	Jonas
Brown, Ohio	Fish	Jones, Ala.
Broyhill, N.C.	Flood	Jones, N.C.
Broyhill, Va.	Flowers	Jones, Tenn.
Buchanan	Flynt	Karth
Burke, Mass.	Foley	Kazen
Burleson, Tex.	Ford, William D.	Kee
Burlison, Mo.		Keith
Burton, Calif.	Foreman	Kleppe
Byrne, Pa.	Fountain	Kluczynski
Byrnes, Wis.	Fraser	Kuykendall
Caffery	Frelinghuysen	Kyl
Camp	Frey	Kyros
Carter	Friedel	Landgrebe
Cederberg	Fulton, Pa.	Landrum
Celler	Fuqua	Langen
Chappell	Galifianakis	Latta
Clausen, Don H.	Gallagher	Lennon
	Garmatz	Long, La.
Long, Md.	Pettis	Stanton
McCarthy	Pickle	Steed
McClory	Pirnie	Steiger, Ariz.
McClure	Poage	Steiger, Wis.
McCulloch	Podell	Stephens
McDade	Poff	Stubblefield
McDonald, Mich.	Preyer, N.C.	Stuckey
	Price, Ill.	Sullivan
McEwen	Price, Tex.	Symington
McFall	Pryor, Ark.	Taylor
McMillan	Pucinski	Teague, Calif.
Macdonald, Mass.	Purcell	Teague, Tex.
	Quie	Thompson, Ga.
Madden	Quillen	Thomson, Wis.
Mahon	Railsback	Tiernan
Mann	Randall	Udall
Marsh	Rarick	Ullman
Martin	Reid, Ill.	Van Deerlin
Mathias	Reuss	Vander Jagt
Matsunaga	Riegle	Vanik
May	Rivers	Vigorito
Mayne	Rodino	Waggonner
Meeds	Roe	Waldie
Melcher	Rogers, Colo.	Wampler
Mikva	Rogers, Fla.	Watson
Miller, Calif.	Rooney, Pa.	Watts
Minish	Rostenkowski	Whalen
Mink	Roth	Whalley
Minshall	Roybal	White
Mize	Ruth	Whitehurst
Mizell	St Germain	Whitten
Mollohan	Sandman	Widnall
Monagan	Satterfield	Wiggins
Montgomery	Saylor	Williams
Moorhead	Schadeberg	Wilson, Bob
Morgan	Scherle	Wilson, Charles H.
Morse	Schmitz	
Morton	Schneebeli	Winn
Moss	Schwengel	Wolff
Murphy, Ill.	Scott	Wyatt
Myers	Sebelius	Wydler
Natcher	Shriver	Wylie
Nedzi	Sisk	Wyman
Nelsen	Skubitz	Yates
Obey	Slack	Yatron
O'Hara	Smith, Calif.	Young
O'Neill, Mass.	Smith, Iowa	Zablocki
Passman	Smith, N.Y.	Zion
Patten	Springer	Zwach
Pepper	Stafford	
Perkins	Staggers	

NAYS—20

Brown, Calif.	Hechler, W. Va.	Reid, N.Y.
Carey	Kastenmeier	Rooney, N.Y.
Chisholm	Koch	Rosenthal
Clay	Miller, Ohio	Ryan
Edwards, Calif.	Mosher	Scheuer
Harrington	Nix	Stokes
Hawkins	Rees	

NOT VOTING—93

Adair	Evans, Colo.	Mills
Aspinall	Fallon	Murphy, N.Y.
Beall, Md.	Farbstein	Nichols
Berry	Fisher	O'Konski
Biaggi	Ford, Gerald R.	Olsen
Blanton	Fulton, Tenn.	O'Neal, Ga.
Boggs	Goldwater	Ottinger
Brock	Green, Oreg.	Patman
Brooks	Griffiths	Pelly
Burke, Fla.	Gross	Philbin
Burton, Utah	Haley	Pike
Bush	Hanna	Pollock
Button	Hansen, Wash.	Powell
Cabell	Harvey	Reifel
Casey	Hébert	Rhodes
Chamberlain	Heckler, Mass.	Roberts
Clancy	Henderson	Robison
Clark	Horton	Roudebush
Collins	Hunt	Rousselot
Conyers	King	Ruppe
Corman	Leggett	Shipley
Cowger	Lloyd	Sikes
Cramer	Lowenstein	Snyder
Daddario	Lujan	Stratton
Davis, Ga.	Lukens	Taft
Dawson	McCloskey	Talcott
Diggs	McKneally	Thompson, N.J.
Dowdy	MacGregor	Tunney
Dwyer	Mailliard	Weicker
Edmondson	Meskill	Wold
Edwards, La.	Michel	Wright

So the conference report was agreed to.

The Clerk announced the following pairs:

Mr. Hébert with Mr. Adair.
Mr. Sikes with Mr. Beall of Maryland.
Mr. Philbin with Mr. Burton of Utah.
Mr. Thompson of New Jersey with Mrs. Dwyer.
Mr. Henderson with Mr. Burke of Florida.
Mr. Blanton with Mr. Harvey.
Mr. Brooks with Mr. Michel.
Mr. Fisher with Mr. Snyder.
Mr. Fulton of Tennessee with Mr. Brock.
Mr. Hanna with Mr. Talcott.
Mr. Shipley with Mr. Clancy.
Mr. Nichols with Mr. Floyd.
Mr. Murphy of New York with Mr. Hunt.
Mr. Leggett with Mr. Mailliard.
Mr. Boggs with Mr. Gerald R. Ford.
Mr. Aspinall with Mr. Weicker.
Mr. Biaggi with Mr. Horton.
Mr. Cabell with Mr. Cowger.
Mr. Edmondson with Mr. Rhodes.
Mr. Olsen with Mr. Rousselot.
Mr. O'Neal of Georgia with Mr. Lukens.
Mr. Roberts with Mr. Wold
Mr. Haley with Mr. Pelly.
Mr. Edwards of Louisiana with Mr. Berry.
Mr. Casey with Mr. Taft.
Mr. Clark with Mr. Bush.
Mr. Lowenstein with Mr. Conyers.
Mr. Ottinger with Mr. Powell.
Mr. Evans of Colorado with Mr. McCloskey.
Mr. Stratton with Mr. Button.
Mr. Pike with Mr. O'Konski.
Mr. Wright with Mr. Ruppe.
Mr. Mills with Mr. Gross.
Mr. Corman with Mr. Goldwater.
Mr. Davis of Georgia with Mr. Roudebush.
Mr. Dowdy with Mr. Reifel.
Mr. Daddario with Mr. Meskill.
Mrs. Green of Oregon with Mr. McKneally.
Mr. Patman with Mr. Lujan.
Mrs. Griffiths with Mr. King.
Mrs. Hansen of Washington with Mrs. Heckler of Massachusetts.
Mr. Fallon with Mr. Chamberlain.
Mr. Tunney with Mr. Pollock.
Mr. Collins with Mr. Cramer.
Mr. Farbstein with Mr. Diggs.

Mr. ROONEY of New York changed his vote from "yea" to "nay."

Mr. RIEGLE changed his vote from "present" to "yea."

The result of the vote was announced as above recorded.

A motion to reconsider was laid on the table.

Mr. ROONEY of New York. Mr. Speaker, you will probably notice that I have cast a negative vote on the conference report just adopted. My only reason for doing so is the fact that this conference report contains an authorization for $3,440,000 to transfer functions of the Brooklyn Army Base to Bayonne, N.J. The House, in its wisdom, upon passage of the military construction appropriation bill for 1971, did not carry such an appropriation and it is my hope and trust that when the conference report on the appropriation bill which I have just mentioned is brought up after the recess to November 16, there will likewise be no funds in it for this ill-advised transfer of activities.

GENERAL LEAVE TO EXTEND

Mr. RIVERS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the conference report just agreed to.

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

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A future message from the Senate, by Mr. Arrington, one of its clerks, an-

nounced that the Senate had passed a joint resolution of the following title, in which the concurrence of the House is requested:

S.J. Res. 242. Joint resolution to provide for the temporary extension of the Federal Housing Administration's insurance authority.

APPOINTMENT OF CONFEREES ON H.R. 17825, OMNIBUS CRIME CONTROL ACT OF 1970

Mr. CELLER. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H.R. 17825) to amend the Omnibus Crime Control and Safe Streets Act of 1968, and for other purposes, with a Senate amendment thereto, disagree to the Senate amendment, and agree to the conference requested by the Senate.

The SPEAKER. Is there objection to the request of the gentleman from New York? The Chair hears none, and appoints the following conferees: Messrs. CELLER, RODINO, ROGERS of Colorado, MCCULLOCH, and POFF.

AUTHORIZING LOAN OF BUST OF JOHN QUINCY ADAMS TO NATIONAL PORTRAIT GALLERY OF SMITHSONIAN INSTITUTION

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent for the immediate consideration of the concurrent resolution (H. Con. Res. 779) to authorize the loan of the John C. King bust of John Quincy Adams to the National Portrait Gallery of the Smithsonian Institution.

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

There was no objection.

The Clerk read the concurrent resolution as follows:

H. CON. RES. 779

Whereas the National Portrait Gallery of the Smithsonian Institution was established as a free public museum for the exhibition and study of portraiture and statuary depicting men and women who have made significant contributions to the history, development, and culture of the people of the United States and of the artists who created such portraiture and statuary, and

Whereas from November 6, 1970, to January 3, 1971, the National Portrait Gallery will exhibit "Life Portraits of John Quincy Adams," which will be the first time that all the life portraits of the sixth President of the United States will be assembled in one exhibit, and

Whereas the United States Capitol has in its collections a 20¾ inch, white marble bust of President Adams by John C. King, and the National Portrait Gallery has expressed a desire to include such bust as part of its tribute to the sixth President of the United States, and

Whereas the Smithsonian Institution, in carrying out the purposes of the National Portrait Gallery, is empowered to borrow portraiture, statuary, and other items for exhibition in such Gallery: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Architect of the Capitol is authorized and directed, on behalf of the United States Congress, to lend the John C. King marble bust of President John Quincy Adams to the Smithsonian Institution for the National Portrait Gallery exhibit "Life Portraits of John Quincy Adams," under procedures that will assure its proper preservation, display, and return: *Provided,* that such loan is to be effected no later than October 15, 1970, and terminated on or before February 1, 1971.

Mr. BRADEMAS. Mr. Speaker, I am introducing today with the gentleman from New Jersey (Mr. THOMPSON) a concurrent resolution, which will be introduced in the other body by the Senator from Rhode Island (Mr. PELL), to provide for the temporary loan of the John Crookshanks King bust of John Quincy Adams to the National Portrait Gallery of the Smithsonian Institution.

Mr. Speaker, in 1962, Congress created the National Portrait Gallery to "function as a free public museum for the exhibition and study of portraiture and statuary depicting men and women who have made significant contributions to the history, development, and culture of the people of the United States." Certainly it is in keeping with this mandate that the Director of the Gallery, Marvin S. Sadik, has chosen as one of his first major exhibitions to show the life portraits of John Quincy Adams, our sixth President.

Mr. Speaker, 43 of the 60 life portraits of Adams are presently known, and one of them is the King bust which now stands in the ladies retiring room of the Capitol. Many eminent individuals and institutions will loan to the Portrait Gallery these works of art for its exhibit. For example, the French Government has agreed to loan the famous George Healy portrait of Adams which is in the Chateau de Belancourt.

Mr. Speaker, this is the first and probably only time that the life portraits of President John Quincy Adams will be gathered into one exhibition. The Adams show is, therefore, of great significance, and a scholarly catalog of the exhibit including reproductions of all the known life portraits of Adams will be published by the Harvard University Press.

Mr. Speaker, it is because a standing rule of the Joint Committee on the Library prohibits the loan of works of art in the Capitol that Mr. THOMPSON and I seek the support of this body in making a special exception for the Adams bust at this time. The resolution we propose seems appropriate in light of Congress' role in establishing and supporting the National Portrait Gallery, and it would in no way modify the wise, general policy preventing the loan of the great treasures of art deposited in the Capitol.

I would point out that the bust is now in an inconspicuous location in the Capitol, and that by loaning the bust to the National Portrait Gallery—only blocks away—we will make the bust more available to the public. Moreover, adequate provision has been made for the safety of the bust, which would be on loan only from October 15, 1970, to no later than February 1, 1971.

Mr. Speaker, because the Adams show will open at the Portrait Gallery on November 6, 1970, I ask for prompt consideration of this concurrent resolution so that the National Portrait Gallery will have the time it needs to assure proper display of the bust.

Mr. Speaker, in conclusion, I would hope that many of my colleagues will visit the National Portrait Gallery between November 6 and January 3, 1971, the dates of the Adams exhibition, which promises to be an excellent example of how that museum is fulfilling the purposes which Congress envisioned.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. BRADEMAS. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks on the concurrent resolution just agreed to.

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

There was no objection.

PROVIDING FOR TEMPORARY EXTENSION OF FEDERAL HOUSING ADMINISTRATION'S INSURANCE AUTHORITY

Mr. BARRETT. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate joint resolution (S.J. Res. 242) to provide for the temporary extension of the Federal Housing Administration's insurance authority.

The Clerk read the title of the Senate joint resolution.

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

Mr. HALL. Mr. Speaker, I reserve the right to object simply to ask for an explanation of the Senate joint resolution to which we are agreeing in view of the fact that it was not read by the Clerk.

Mr. BARRETT. If the gentleman will yield, Mr. Speaker, this resolution is similar to House Joint Resolution 1390, which extends all of the Federal Housing Administration's insurance authority from November 1, 1970, to December 1, 1970. This resolution is needed to keep our Federal housing programs operating until Congress completes action on the 1970 housing bill. I move the adoption of Senate Joint Resolution 242.

This covers all the insurance authority on the housing legislation.

Mr. HALL. And there is no additional cost involved?

Mr. BARRETT. No; there is not.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

The Clerk read the Senate joint resolution as follows:

S.J. RES. 242

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled. That (a) section 2(a) of the National Housing Act is amended by striking out "November 1, 1970" in the first sentence and inserting in lieu thereof "December 1, 1970".

(b) Section 217 of such Act is amended by striking out "November 1, 1970" and inserting in lieu thereof "December 1, 1970".

(c) Section 221(f) of such Act is amended by striking out "November 1, 1970" in the fifth sentence and inserting in lieu thereof "December 1, 1970".

(d) Section 809(f) of such Act is amended by striking out "November 1, 1970" in the second sentence and inserting in lieu thereof "December 1, 1970".

(e) Section 810(k) of such Act is amended by striking out "November 1, 1970" in the second sentence and inserting in lieu thereof "December 1, 1970".

(f) Section 1002(a) of such Act is amended by striking out "November 1, 1970" in the second sentence and inserting in lieu thereof "December 1, 1970".

(g) Section 1101(a) of such Act is amended by striking out "November 1, 1970" in the second sentence and inserting in lieu thereof "December 1, 1970".

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

POLICEMEN AND FIREMEN'S RETIREMENT AND DISABILITY ACT AMENDMENTS OF 1970

Mr. McMILLAN. Mr. Speaker, I ask unanimous consent that the Committee on the District of Columbia be discharged from further consideration of the bill (S. 2695) to provide for the retirement of officers and members of the Metropolitan Police Force, the Fire Department of the District of Columbia, the U.S. Park Police Force, the Executive Protective Service, and certain officers and members of the U.S. Secret Service, and for other purposes and ask for immediate consideration of the bill.

The Clerk read the title of the Senate bill.

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

Mr. HALL. Mr. Speaker, reserving the right to object, would the distinguished chairman of the Committee on the District of Columbia explain the Senate bill so that the House may know to what it grants unanimous consent?

Mr. McMILLAN. Mr. Speaker, if the gentleman will yield, I would like to state to the distinguished gentleman from Missouri that the House District of Columbia Committee has reported out a similar bill but it has not been called up on the floor of the House.

This bill, S. 2695, grants to the widows of policemen and firemen the same treatment that other District employees enjoy and receive.

Mr. HALL. Mr. Speaker, the gentleman from South Carolina believes that after hearings and after action on our part on a similar piece of proposed legislation that this is equitable and fair, and that there will be no great increase in cost to the District of Columba or the Federal Treasury?

Mr. McMILLAN. Mr. Speaker, if the gentleman will yield further, I really think it is a better bill than the House bill. I say this for the simple reason that this bill becomes effective upon the date it is signed by the President. Our bill, if enacted, would become effective as of July 1, 1970. In other words, this bill contains no retroactive feature.

Mr. HALL. Mr. Speaker, I withdraw my reservation of objection.

Mr. BROYHILL of Virginia. Mr. Speaker, I rise in support of S. 2695 because it is essential that the Congress provide proper retirement benefits for our police and firemen as well as their survivors and widows before we recess for election.

It has been 15 years since the retirement program for these guardians of public safety has been updated, and if we are going to maintain efficiency in the area of public safety for the District of Columbia we must recognize that a proper retirement program for police and firemen is necessary in order to attract good recruits and encourage our existing police and firemen to remain on the job.

I want to point out that what we are doing at this time is updating the retirement program for police and firemen in the same proportion as we have already updated the retirement program for classified employees, both in the District of Columbia and the Federal Government, and for the District of Columbia schoolteachers.

The Committee on the District of Columbia has reported favorably on S. 2695 and recommends passage because the purposes of the bill are both justifiable and necessary.

The legislation has six salient features. They relate to, first, the raising of the maximum optional retirement pension to 80 percent; second, the elimination of the age tie-in so that retirement may be elected at any time subsequent to 20 years of service; third, the changing of the formula by which the pension is computed so that each of the first 20 years is equated to 2½ percent with 3 percent for each of the next 10 years; fourth, an increase in widows' and children's pensions; fifth, special compensation for widows of those members who have died in line of duty; and sixth, a cost-of-living clause attached to widow's pensions.

The increase in maximum pension which is sought is occasioned by the fact that public safety officers are presently disadvantaged vis-a-vis other governmental employees—70 percent versus 80 percent—and there is no logical reason why this condition should exist. It is true that these public safety employees would arrive at the maximum retirement earlier than the average Government employee but we are comparing employees who are daily involved in situations of hazard and risk with employees whose work is of a more sedentary nature.

The removal of the mandatory age requirement, thus making retirement possible after 20 years, is a move which has already been found necessary and desirable in a large number of our cities such as Boston, Oklahoma City, Phoenix, New Orleans, and New York. It is calculated to improve the problems of both recruitment and retention for in the first instance it is a tangible talking point for enlistment, and in the second instance it is a powerful inducement for a young member, with perhaps 8 or 10 years already served, to stick it out for the remainder of a 20-year period. We cannot afford to continue wasting the time and money necessary to train and give reasonable experience to our young recruits, and then have their training and potential expertise go down the retention drain. In these days, when the harassment of hostile crowds is added to the natural risks of police and fire duty, the job is becoming increasingly unpalatable. We believe that a provision such as this will aid in convincing these younger members that they should try to weather the storm.

The formula change from 2 to 2½ percent for each of the first 20 years is designed to provide a realistic floor of 50 percent for optional retirement, since any lesser percentage can hardly be contemplated from a practical standpoint. This change in effect, hangs upon the point just made. If we concede the logic of a 20-year retirement plan regardless of age, we cannot hamstring it with a retirement benefit so ineffectual as to be meaningless. If this line of thinking is correct, then it would be expected that each of the cities mentioned in the preceding paragraph as affording 20-year retirement regardless of age should also provide a 50-percent annuity. They do.

The widows of the members have for a long time been deserving of more generous treatment. For those widows currently on the rolls as survivor annuitants, the bill provides an increase from the present floor of $1,800 to $3,144 per annum, or to 35 percent of the members applicable salary basis, if that be greater. For widows who become such after enactment, the legislation provides an annuity equal to 40 percent of the member's salary at death or 40 percent of the basis upon which his retirement compensation was being computed but not less than 40 percent of the salary of a 7-year private. For all children on the rolls, both current and future, the yearly allocations will rise from $600 to $996 for each child with a surviving parent and from $720 to $1,200 for orphans—up to a maximum of three children in each instance. In all proposed survivor annuitant pensions, the District of Columbia government has been mindful of its obligation to achieve parity with civil service and District teacher retirement legislation.

Special compensation for widows of members dying in line of duty seems to be long overdue. Such a feature is presently incorporated within the pay and retirement systems of all classified workers, Federal and District, plus that of the District of Columbia teachers. The extra compensation suggested by the government of the District of Columbia for such cases was a lump sum of $50,000. The Fire and Police associations have concurred with this.

Again, the cost-of-living provisions of this legislation are based on current standard provisions of all classified and District teacher retirement legislation.

There are other minor features of the bill which, again, simply seek to restore parity between fire and police survivor annuitants and those of the Federal and District classified and District teacher retirement systems.

The overall intent of the legislation, then, is to provide, first, increases in retirement benefits for firemen and police officers of the various police forces covered by the Policemen and Firemen's

Retirement and Disability Act, as amended; and second, increases in benefits for survivors both current and prospective. Increases in retirement benefits should accelerate the recruitment, as well as aid in the retention, of policemen and firemen. The upgraded survivorship benefits will provide annuity increases for widows—or widowers—and children, a group which has for 14 years endured a retirement system which has treated them shabbily. Thus, 322 of the present 885 adult survivors are attempting to exist on $150 per month.

The cost of the bill for the first year will be $1,030,000 of which $319,000 will be provided by the increased retent of the members, thus leaving the net cost to the District at $711,000. It should be borne in mind that increased benefits for widows and children will exceed $800,000 for this year.

Assuming enactment on or about November 1, 1970, the cost, for the remainder of this fiscal year, to the District will be $474,000. The District has indicated in a letter to the chairman of the Committee on the District of Columbia that the cost of the bill to the District "would be partially funded through absorption and within the availability of resources in our fiscal 1971 financial plan."

I urge the adoption of this bill.

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

There was no objection.

The Clerk read the Senate bill as follows:

S. 2695

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 12 of the Act of September 1, 1916 (39 Stat. 718), as amended (D.C. Code, sec. 4–521 et seq.) is amended as follows:

(1) Paragraph (4) of subsection (a) of such section (D.C. Code, sec. 4–521) is amended to read as follows:

"(4) The term 'widower' means the surviving husband of a member who was married to such individual while she was a member.".

(2) Paragraph (5) of subsection (a) of such section (D.C. Code, sec. 4–521) is amended to read as follows:

"(5) (A) The term 'child' means an unmarried child, including (i) an adopted child, and (ii) a stepchild or recognized natural child who lives with the member in a regular parent-child relationship, under the age of eighteen years, or such unmarried child regardless of age who, because of physical or mental disability incurred before the age of eighteen, is incapable of self-support.

"(B) The term 'student child' means an unmarried child who is a student between the ages of eighteen and twenty-two years, inclusive, and who is regularly pursuing a full-time course of study or training in residence or in a high school, trade school, technical or vocational institute, junior college, college, university, or comparable recognized educational institution.".

(3) Subsection (d) of such section (D.C. Code, sec. 4–524) is amended as follows:

(A) Paragraph (1) of such subsection is amended to read as follows:

"(1) On and after the first day of the first pay period which begins on or after the effective date of the Police and Firemen's Retirement and Disability Act Amendments of 1970 there shall be deducted and withheld from each member's basic salary an amount equal to per centum of such basic salary. Such deductions and withholdings shall be paid to the Collector of Taxes of the District of Columbia, and shall be deposited in the Treasury to the credit of the District of Columbia.".

(B) Paragraph (3) of such subsection is amended by inserting immediately before the period at the end thereof a colon and the following: *"Provided,* That if no natural person is determined to be entitled thereto such payment shall escheat to the government of the District of Columbia.".

(C) Such subsection is amended by adding at the end thereof the following new paragraph:

"(4) In order to facilitate the settlement of the accounts of each former member coming under the provisions of this section who dies after retirement (1) leaving no survivor entitled to receive an annuity under the provisions of this section and (2) before the aggregate amount of the annuity paid to such former member equals the total amount deducted and withheld for retirement from his salary as a member, the Commissioner shall pay the difference to the person or persons surviving at the time of death in the following order of precedence, and such payment shall be a bar to recovery by any other person of the amount so paid:

"First, to the beneficiary or beneficiaries designated in writing by such former member, filed with the Commissioner and received by him prior to the death of such former member;

"Second, if there be no such beneficiary, to the child or children of such deceased former member and the descendants of deceased children by representation;

"Third, if there be none of the above, to the parents of such former member, or the survivor of them; and

"Fourth, if there be none of the above, to the duly appointed legal representative of the estate of the deceased former member, or if there be none to the person or persons determined to be entitled thereto under the laws of the domicile of the deceased former member: *Provided,* That if no natural person is determined to be entitled thereto such payment shall escheat to the government of the District of Columbia."

(4) Subsection (g) of such section (D.C. Code, sec. 4–527) is amended by deleting "2 per centum" wherever it appears therein and inserting in lieu thereof "2½ per centum".

(5) Paragraph (1) of subsection (h) of such section (D.C. Code, sec. 4–528) is amended—

(A) by striking out "attains the age of fifty years and"; and

(B) by striking out "2 per centum" and inserting in lieu thereof "2½ per centum".

(6) Paragraph (3) of subsection (h) of such section is amended by striking out "70 per centum" and inserting in lieu thereof "80 per centum."

(7) Subsection (j) of such section (D.C. Code, sec. 4–530) is amended by deleting "fifty-five" wherever it appears therein and inserting in lieu thereof "fifty".

(8) Subsection (k) of such section (D.C. Code, sec. 4–531) is amended to read as follows:

"(k) (1) In the event that any member dies in the performance of duty, and such death is determined by the Commissioner to have been the sole and direct result of a personal injury sustained while performing such duty, leaving a survivor who received more than one-half his support from a member, such survivor shall be entitled to receive a lump sum payment of $50,000: *Provided,* That if such death is caused by the willful misconduct of the member or by the member's intention to bring about the death of himself, or if intoxication of the injured member is the proximate cause of such death, no such lump sum payment shall be made: *And provided further,* That if such member is survived by more than one person who received more than one-half of his support from the member, each such survivor shall be entitled to receive an equal share of such lump-sum payment.

"(2) In case of the death of any member before retirement, or of any former member after retirement, leaving a widow or widower, such widow or widower shall be entitled to receive an annuity in the greater amount of (1) 40 per centum of such member's basic salary at the time of death, or 40 per centum of the basis upon which the annuity, relief, or retirement compensation being received by such former member at the time of death was computed, or (2) 40 per centum of the corresponding salary for step 6, subclass (a), class 1 of the District of Columbia Police and Firemen's Salary Act salary schedule currently in effect at the time of such member or former member's death: *Provided,* That such annuity shall not exceed the current rate of compensation of the position occupied by such member at the time of death, or by such former member immediately prior to retirement.

"(3) Each surviving child or student-child of any member who dies before retirement, or of any former member who dies after retirement, shall be entitled to receive an annuity equal to the smallest of (1) 60 per centum of the member's basic salary at the time of his death or of the basis upon which the former member's annuity at the time of his death was computed, divided by the number of eligible children; (2) $996; or (3) $2,988 divided by the number of eligible children: *Provided,* That such member or former member is survived by a wife or husband. If such member or former member is not survived by a wife or husband, each surviving child or student-child shall be paid an annuity equal to the smallest of (1) 75 per centum of the member's basic salary at the time of his death or of the basis upon which the former member's annuity at the time of his death was computed, divided by the number of eligible children; (2) $1,200; or (3) $3,600 divided by the number of eligible children.

"(4) Each widow or widower who, on the effective date of the Policemen and Firemen's Retirement and Disability Act Amendments of 1970, was receiving relief or annuity computed in accordance with the provisions of this subsection shall be entitled to receive an annuity in the greater amount of (1) $3,144; or (2) 35 per centum of the basis upon which such relief or annuity was computed. Each child who, on said effective date, was receiving relief or annuity computed in accordance with the provisions of this subsection, shall be entitled to benefits computed in accordance with the provisions of paragraph (3) of this subsection.

"(5) The annuity of any widow or widower under this subsection shall begin on the first day of the month in which the member or former member dies, and such annuity or any right thereto shall terminate upon the survivor's death or remarriage before age sixty: *Provided,* That any annuity terminated by remarriage may be restored if such remarriage is later terminated by death, annulment, or divorce. The annuity of any child under this subsection shall begin on the first day of the month in which the member or former member dies, and such annuity of such child or any right thereto shall terminate upon (A) his attaining age eighteen, unless incapable of self-support, (B) his becoming capable of self-support after age eighteen, (C) his marriage, or (D) his death. The annuity of any student-child under this subsection shall begin on the first day of the month in which the member or former member dies, and such annuity of such child or any right thereto shall terminate upon (i) his ceasing to be a student, (ii) his attaining age twenty-two (iii) his child whose birthday falls during the marriage, or (iv) his death. Such student-school year (September 1 to June 30) shall be considered not to have reached age twen-

ty-two until July 1 following his actual twenty-second birthday.

"(6) Any member retiring under subsection (f), (g), or (h) of this section, may, at the time of such retirement, elect to receive a reduced annuity in lieu of full annuity, and designate in writing the person to receive an increased annuity after the retired annuitant's death: *Provided,* That the person so designated be the surviving spouse or child of the retiring member. Whenever such an election is made, the annuity of the designee shall be increased by an amount equal to the amount by which the annuity of such retiring member is reduced. The annuity payable to the member making such election shall be reduced by 10 per centum of the annuity computed as provided in subsection (f), (g), or (h). Such increase in annuity payable to the designee shall be reduced by 5 per centum for each full five years the designee is younger than the retiring member, but such total reduction shall not exceed 40 per centum. The increase in annuity payable to the designee pursuant to this paragraph shall be paid in addition to the annuity provided for such designee pursuant to paragraph (2) or (3) of this subsection and shall be subject to the same limitations as to duration and other conditions as the annuity paid pursuant to paragraphs (2), (3), and (5) of this subsection. If, at any time after such former member's retirement, the designee dies, and is survived by such former member, the annuity payable to such former member shall be increased to the amount computed as provided in subsection (f), (g), or (h).

"(7)(i) Each month after the effective date of this subsection the Commissioner shall determine the per centum change in the price index. On the basis of this determination, and effective the first day of the third month which begins after the price index shall have equaled the rise of at least 3 per centum for three consecutive months over the price index for the base month, each annuity payable under this subsection which has a commencing date not later than such effective date shall be increased by 1 per centum plus the per centum rise in the price index (calculated on the highest level of the price index during the three consecutive months) adjusted to the nearest one-tenth of 1 per centum.

"(ii) The monthly installment of annuity after adjustment under this subsection shall be fixed at the nearest dollar, except that such installment shall after adjustment reflect an increase of at least $1.

"(iii) For purposes of this subsection, the term 'price index' shall mean the Consumer Price Index (all items—United States city average) published monthly by the Bureau of Labor Statistics. The term 'base month' shall mean the month for which the price index showed a per centum rise, forming the basis for a cost-of-living annuity increase."

SEC. 2. The provisions of this Act shall take effect on the first day of the first pay period which begins on or after the date of enactment.

SEC. 3. This Act may be cited as the "Policemen and Firemen's Retirement and Disability Act Amendments of 1970".

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

PERMISSION FOR COMMITTEE ON RULES TO FILE CERTAIN PRIVILEGED REPORTS

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

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

Mr. HALL. Mr. Speaker, reserving the right to object, may I ask if committee action has been completed on the proposed legislation, which the gentleman seeks to file by midnight tonight?

Mr. ANDERSON of Tennessee. Mr. Speaker, if the gentleman will yield, committee action has been completed this morning on the railroad passenger train bill and we are taking up almost immediately again this afternoon the manpower bill and it may be reported out this afternoon.

Mr. HALL. Mr. Speaker, I will ask the gentleman from Tennessee if this involves the Comprehensive Manpower Planning Act? Does the gentleman's unanimous-consent request and permission to file until midnight tonight involve the Comprehensive Manpower Planning Act, or does it involve only the railway legislation?

Mr. ANDERSON of Tennessee. It involves the latter.

Mr. HALL. Mr. Speaker, I would ask that the gentleman from Tennessee divide his request and include only that on which action has been completed by the Committee on Rules, as I stated to the distinguished chairman of the Committee on Rules. Otherwise, I shall be constrained to object.

Mr. ANDERSON of Tennessee. Mr. Speaker, I ask unanimous consent to amend my unanimous-consent request to include only the bill pertaining to railway passenger service.

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

There was no objection.

CONFERENCE REPORT ON H.R. 15073, BANK RECORDS AND FOREIGN TRANSACTIONS; CREDIT CARDS: CONSUMER CREDIT REPORTING

Mrs. SULLIVAN. Mr. Speaker, I call up the conference report on 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 the U.S. currency be reported to the Department of the Treasury, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 8, 1970.)

Mrs. SULLIVAN (during the reading). Mr. Speaker, I ask unanimous consent that the further reading of the statement be dispensed with.

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

There was no objection.

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

Mr. Speaker, H.R. 15073 as agreed upon in conference retains all of the major features of the House-passed bill of the same number dealing with the use of secret foreign bank accounts or the transfer of funds abroad for the purpose of evading or violating U.S. laws. The House bill has been strengthened in several respects by Senate amendments the House conferees accepted or succeeded in modifying. The first four titles of the conference bill are aimed at organized crime and at "white collar" crime involving schemes to hide funds abroad for the purpose of defrauding Federal or State governments on taxes, or to circumvent the securities laws or other statutes. Together, the first four titles of the conference bill constitute an important weapon to be available to our Government in tracing criminal practices which have heretofore been largely safe from U.S. prosecution because of the secrecy which surrounds banking practices in some other countries.

SECRET FOREIGN BANKING TRANSACTIONS SPOTLIGHTED BY CHAIRMAN PATMAN

The major credit for this legislative accomplishment belongs to the chairman of the House Committee on Banking and Currency, the Honorable WRIGHT PATMAN, who uncovered some of the scandals in secret banking abroad, instigated an intensive committee investigation into this matter and came forward with the legislative proposals which were passed in somewhat different form in both Houses and have now been brought into conformance by this conference bill. Upon enactment, titles I through IV of H.R. 15073 will give to the Justice Department and to the Treasury Department tools they do not presently have, but which are urgently needed, to combat criminal conspiracies which have used secret havens abroad for billions of dollars of stolen funds, or funds on which U.S. taxes were not paid. These moneys have often been used to make more money in the United States, through other illegal means, or to infiltrate legitimate business behind a foreign front.

As originally passed by the House, H.R. 15073 dealt only with transactions of U.S. nationals and U.S. financial institutions in other countries. As passed by the Senate, however, it contained three new titles consisting of three separate bills previously passed by the Senate. One such title consisted of a mass transit bill, another was a credit card bill, and the third a bill dealing with credit reporting bureaus.

The mass transit title was eliminated in conference because by the time H.R. 15073 went to conference both Houses had completed action on a separate mass transit bill. The other two titles added by the Senate necessarily had to be considered as part of the conference deliberations. Both new titles were subsequently agreed to in conference after modifications or improvements proposed by the House conferees.

The final version of the bill, the conference substitute, now represents, in my opinion, a victory for the people of the United States as citizens, as taxpayers, and as consumers. It also contains ap-

propriate safeguards for legitimate business, while striking powerful blows at criminal business elements, the so-called white collar criminal, whose depredations are often in the millions.

MAJOR ACHIEVEMENTS OF CONEFRENCE BILL

Let me list briefly, Mr. Speaker, the major accomplishments of H.R. 15073 as agreed to in conference.

First. It provides a mechanism by which the law enforcement agencies of this country can investigate the legitimacy of funds sent abroad and uncover illegal transactions, by requiring the maintenance by insured banks of records on all transactions involving transfers of money out of the country, and by authorizing the Secretary of the Treasury to require reports from individuals on currency and foreign transactions. These provisions will save the Department of Justice and the Treasury Department vast amounts of time, effort and money in digging into the ramifications of foreign transactions which involve violations of American law, and make prosecution more feasible. Without the tools this bill will now provide, our enforcement agencies have faced an almost impossible task in tracing funds out of and back into the country of violation of our laws.

Second. It closes a gaping loophole in our securities laws dealing with the regulation of margins in stock transactions. As the hearings disclosed, money illegally sent abroad has often been used to invest in stocks, or to manipulate stocks, without regard to margin requirements, by borrowing the funds abroad, frequently having the foreign bank purchase the stock in its own name rather than in the name of the individual trader.

Third. It protects consumers from the worrisome and often expensive consequences of being sent credit cards they do not want and which they have no intention of using. It establishes, for the first time, a limit of liability of $50 for the unauthorized use of a credit card, while making it a Federal crime to traffic in or use stolen credit cards for purchases of $5,000 or more. The conference bill endorses and writes into law restrictions now being imposed by the Federal Trade Commission on the distribution of unsolicited credit cards and applies this prohibition to all credit card issuers, including banks, airlines, and other issuers which may or may not—interpretations have varied—have been covered by the FTC trade rule.

Fourth. It provides consumers, also for the first time, with statutory rights to find out what material of a personal or financial nature has been circulated about them by credit reporting bureaus which may have been a factor in the rejection of an application for insurance, employment, or consumer or real estate credit. Furthermore, it obligates credit reporting bureaus to protect the confidentiality of such information, to establish and maintain proper procedures for assuring maximum accuracy of the information, to correct demonstrated inaccuracies, to eliminate obsolete material, and otherwise to operate their businesses in a responsible manner commensurate with the intimate nature of the personal data on individual consumers which forms the "merchandise" which such agencies sell for a fee.

THE SPECTER OF THE IMPERSONAL COMPUTER

It would be difficult to predict which of the many provisions of H.R. 15073 will turn out to be the most significant from a long-range standpoint; all of the sections of H.R. 15073 have importance to some aspect of our economy and to the public interest. But in an era of expanding consumer credit and proliferating techniques for managing or handling such extension of credit, and in view of the increasing importance to the individual of having access to insurance, as well as the vital necessity of being able to find employment, I believe that the sections of this bill dealing with credit and personal data reporting will have the greatest overall impact. The reason I say that is that with the trend toward computerization of billings and the establishment of all sorts of computerized data banks, the individual is in great danger of having his life and character reduced to impersonal "blips" and keypunch holes in a stolid and unthinking machine which can literally ruin his reputation without cause, and make him unemployable or uninsurable, as well as deny him the opportunity to obtain a mortgage to buy a home. We are not nearly as much concerned over the possible mistaken turndown of a consumer for a luxury item as we are over the possible destruction of his good name without his knowledge and without reason.

The loss of a credit card can, of course, be expensive, but, as Shakespeare said, the loss of one's good name is beyond price and makes one poor indeed. This bill's title VI deals with that problem.

THE ISSUES BEFORE THE CONGRESS

Mr. Speaker, as I said earlier, the credit card title and the credit reporting title added to H.R. 15073 by the Senate were necessarily before the conference and had to be considered by the House conferees. We could, of course, have said that we refused to even consider them because the new rules of the House which are to go into effect next year frown on—but do not forbid—conference committee consideration of issues not previously considered in the House. That would have broken up the conference. The Senate conferees were insistent that we consider the package in view of the lateness of the session and the possibility that credit card and credit reporting bills would otherwise die.

A credit card bill had been acted on by the House last month, but it was not a bill from the House Banking Committee and dealt only with the mailing of credit cards. The Senate bill went much further, into areas not considered in the House. The credit reporting title added by the Senate dealt with an issue which the House has not itself taken up in this Congress, although we have had comprehensive hearings on the issue in our committee and have been working on such a bill. Rather than deadlock the conference before it even got underway, the House conferees agreed to consider those issues which were properly before us in conference, accept those provisions we believed were good legislation or modify them to bring them into conformance with what we judged the legislation should require.

HOUSE CONFEREES NOT OPERATING IN DARK ON ADDED ISSUES

In this connection, I want to point out to our colleagues, Mr. Speaker, that we were not operating in the dark on these additional measures. All of the issues involved in them had been thoroughly reviewed over a period of time by the Subcommittee on Consumer Affairs of the House Committee on Banking and Currency, and five of the seven House conferees serve on that subcommittee as regular or ex officio members, including all three conferees on the minority side. Congresswoman DWYER, who has signed the conference report, has been a leading advocate of legislation to prohibit unsolicited credit cards and has introduced bills similar to the Senate-passed bill which 26 Members of the House from both parties have cosponsored. Chairman PATMAN held hearings on unsolicited credit cards in 1967, and we went into this matter also in the hearings on the Consumer Credit Protection Act.

As for the credit reporting bill, we were faced with the realities of a legislative situation which demanded action by the conferees. After many months of consideration of every aspect of this issue in subcommittee, we came to the point of recommending legislation to the full committee only to fail on 2 consecutive days to summon a quorum able to act. That was the last opportunity in which we could have acted in time to obtain full committee consideration and House action prior to the then-anticipated end of this Congress.

And so, for the same reasons that there was a bipartisan move in the Senate to tack this bill and the credit card bill onto H.R. 15073 as riders—because in the final days of a Congress some legislative shortcuts sometimes have to be taken—a majority of the House conferees voted to offer amendments to the Senate conferees to bring the two vitally important consumer measures, the credit card and credit reporting bills, into such form as we could in good conscience recommend them to the House as part of the conference report on H.R. 15073. I think we did a good job in improving both measures.

IMPORTANT NEW CONSUMER PROTECTION

What was originally, therefore, a House bill dealing with recordkeeping by insured banks, and by individuals engaging in currency transactions abroad, and of interest primarily to law enforcement agencies, now becomes, by action of the conference committee, a measure of utmost importance to every person in the United States—in his role as a consumer.

While we all would have preferred to have these consumer issues discussed and debated fully on the House floor as separate bills, as we had hoped to do, I trust that my colleagues will recognize that we are now confronted with a challenge and an opportunity which are of great economic importance to every man and woman in each congressional district. If the conference report were rejected, your constituents, Mr. Speaker, and those of every Member would find it very difficult to understand why a bill

such as this—representing such unanimity on the part of the Senate conferees who thoroughly understood these issues and by the Senate, and representing the compromise views of a bipartisan majority of House conferees also familiar with the issues—a bill containing the most important new consumer protections which can be enacted in this term of Congress, could possibly be defeated on the basis of procedural objections.

IMPROVEMENTS MADE BY HOUSE CONFEREES IN SENATE CREDIT REPORTING BILL

The provisions on credit reporting in the conference bill are not nearly as strong as I felt they should be—and as a majority of the House conferees attempted to make them—but they are, in my opinion, a major improvement on S. 823 as passed by the Senate.

The Senate conferees would not agree to two key proposals of the House conferees: one to require credit reporting companies to notify all consumers once of the existence of an active file containing personal data about them; and the other to give the Federal Trade Commission power to issue regulations to implement the act and to meet changing circumstances as they develop. Neither omission is fatal to the effectiveness of the legislation, but both proposals would have been extremely useful in helping consumers to protect their good names. We agreed at the termination of the conference that if experience shows that these key provisions proposed by the House conferees are, in fact, as important to the purposes of the law as I believe them to be, we will, of course, reopen the legislation for those and any other improvements experience shows are necessary.

The House conferees succeeded in assuring immediate notification to any individual, who is rejected for credit, insurance, or employment because of information in a credit report, of the name and address of the agency which made the report on him. Thus, his right to access to his file is made more meaningful—he will automatically be told where to look for information which may be causing him needless harm. The Senate bill would have required the consumer who had been rejected for credit, insurance, or employment because of adverse information in a credit file to request, in writing, the name and address of the credit reporting bureau, in order to check further into the information which may have caused his rejection. It was our feeling that this was a needless technicality which would have resulted, from a practical standpoint, in some, or many, individuals, for timidity or other reasons, failing to exercise their rights to find out where to go in order to have a damaging credit report reevaluated and, if wrong, corrected. Some of the consumer witnesses at our hearings made a particular point of this.

In addition, we assured the individual a means through court action to get to the bottom of any charge against him which he cannot refute without knowing where it came from. And we succeeded in making the reporting firms liable for damages for harm done by the firm's own negligence. Also there is now no limit on the punitive damages which a court could assess under the amended bill. The Senate bill had limited such damages to $1,000.

Employees of credit reporting firms who willfully violate the provisions of the bill dealing with the required confidentiality of information in the files are made liable for their acts, under another House amendment.

We also succeeded in giving the full protection of the bill to individuals applying for up to $50,000 of life insurance, instead of the $25,000 limit set in the Senate bill. This relates to the removal of data in their files which is more than 7 years old—other than medical information. The difference is more important than a mere dollar distinction, since the hearings revealed that there are few requests for insurance investigations where less than $25,000 is involved. Thus, our amendment has made this provision have some meaning, in practice, rather than have meaning in theory only.

FINAL RESULT A USEFUL MEASURE

There were other changes made to the Senate-passed bill at the suggestion of the House conferees to tighten up the consumer protections, but it is not, as I said, as strong a bill as a majority of the House conferees tried to make it. In view of the situation which had developed in the House subcommittee, where we failed twice to get a quorum to act on our own bill, and in view of the plans of the Congress to recess this week until after election, the House and Senate Members interested in having strong legislation enacted to protect consumers' good names in the data banks and computerized credit bureaus now developing intimate personal and financial data on millions of Americans, felt this bill, as agreed to in conference, would do enough real good to make it worthwhile passing in this form.

DIFFERENCES BETWEEN HOUSE AND SENATE VERSIONS

The important differences between House and Senate versions of H.R. 15073 as compromised in conference, and which are outlined in the statement of the managers on the part of the House, are further explained as follows:

TITLES I THROUGH IV—BANK SECRECY AND REPORTS

First, on the bank secrecy portion of the bill—titles I through IV:

RECORDKEEPING AND REPORTS ON FINANCIAL TRANSACTIONS ABROAD

There were major differences between the House and Senate bills in the area of bank recordkeeping and reports and records of foreign transactions. Fortunately, however, the Senate bill retained the basic legislative scheme so that the differences were easily pinpointed and satisfactorily resolved. It is our feeling that the compromise arrived at leaves us with a legislative proposal which will enhance and improve law enforcement in the so-called white collar crime area and, equally important, will deter Americans and those subject to our laws from the use of secret foreign financial facilities for illegal purposes.

Many of the differences in the two versions of the bill were either of a technical nature or involved instances in which the other body strengthened specific provisions and were quickly agreed to by the House conferees since these changes comported with the intention of the House when it considered its version. However, there were some basic disagreements which had to be resolved.

DISCRETIONARY POWERS OF SECRETARY

The most important of these related to the degree of discretion to be given the Secretary of the Treasury in carrying out his responsibilities under the act. Under the House legislation, it was felt that the Congress should mandate the type of records maintained and reports made. Having done so, the Secretary of the Treasury was given sufficient flexibility to avoid burdensome or useless recordkeeping requirements. The Senate version, on the other hand, permitted the Secretary to determine, in the first instance whether these records should be kept at all. The House, of course, resisted this view as a dangerous grant of congressional responsibilities to the administrative agency. Moreover, we felt that with a firm congressional statement of purpose the Secretary could more efficiently administer the provisions of the statute. The matter was resolved in title I by retaining the basic congressional purpose and relegating to a subsequent section our intent to afford the Secretary broad discretion in the use of his powers in order to avoid unnecessary or burdensome regulation.

Likewise, in title II dealing with reports of currency and foreign transactions, the Senate version gave the Secretary the same type of discretion. Again, the House insisted on its approach and the Senate agreed.

EXPORT IMPORT LIMITATIONS APPLY ONLY TO SINGLE TRANSACTONS

A second area of major differences appears in title II, chapter 3, which deals with exporting and importing monetary instruments. The House bill provided that reports had to be filed when over $5,000 was exported or imported at any one time, or $10,000 in any 1 year. The Senate version of the legislation eliminated the yearly limitations. Because of a rather inconsistent position by the Justice Department, which first endorsed the yearly aggregate idea only to abandon it 2 months later, the House conferees reluctantly receded to the Senate provision.

HOUSE INSISTS ON REPORTING REQUIREMENTS

Another major difference was contained in title II, chapter 4, covering the records and reports of financial transactions with foreign financial agencies. The Senate version eliminated the authority of the Secretary to require reports and left the provision as an individual recordkeeping matter. The House insisted on its amendment because of our feeling that the reports required would be of immeasurable assistance to law enforcement authorities in seeking to curb these costly and illegal usages of secret foreign financial institutions by Americans.

LEGAL PROCESS REQUIRED TO OBTAIN RECORDS

At this point it should be noted that the Senate version of the bill incorporated into the legislation language which assured that the records could not be obtained except through an appropriate legal process. This, of course, had al-

ready been made clear in the legislative history on the House side.

TITLE V—REGULATION OF ISSUANCE OF CREDIT CARDS

Turning to other provisions in the conference report, I would like to explain briefly the Senate amendment to H.R. 15073 amending the Truth-in-Lending Act to regulate the issuance of credit cards and to establish limits of liability for their misuse. Credit card legislation had been reported out by the House Post Office and Civil Service Committee on March 26, 1970, and was passed by the House on September 9, 1970.

The House should be aware of the fundamental differences in approach between the House-passed credit card bill and the provisions of the conference report on H.R. 15073. The Senate version of the legislation permits the mailing of credit cards only in enumerated cases, thus, by negation, prohibiting the mailing of unsolicited credit cards. The House-passed bill had permitted the mailing of unsolicited credit cards by registered mail. The House conferees agreed to the Senate version because we felt that while the mailing of unsolicited credit cards by registered mail would operate as a protection against the theft or loss of such card during its initial delivery, it placed the consumer under an undue burden. We felt that a consumer who never ordered or requested a credit card should not have to go through the inconvenience with which we are all familiar in receiving registered mail, coupled with the additional convenience of destroying or sending back cards which are unwanted.

Moreover, the Senate version of the bill cleared up uncertain questions of liability for the unauthorized use of credit cards by persons other than the card owner.

The conferees agreed to an amendment recommended by the Department of Justice providing criminal penalties for the unauthorized use of credit cards to purchase goods and services over $5,000. The Senate bill had made any unauthorized use of a credit card a Federal crime, a provision the Justice Department considered too extensive to enforce.

TITLE VI—CREDIT REPORTING

Title VI of the conference bill amends the Consumer Credit Protection Act by adding at the end of that act a new title VI dealing with consumer credit reporting.

The purpose of the fair credit reporting bill is to protect consumers from inaccurate or arbitrary information in a consumer report, which is used as a factor in determining an individual's eligibility for credit, insurance or employment. It does not apply to reports utilized for business, commercial, or professional purposes.

The new title attempts to balance the need by those who extend credit, insurance or employment to know the facts necessary to make a sound decision, and the consumer's right to know of adverse information being disseminated about him, and the right to correct any erroneous information so disseminated. The requirements of the legislation permit the free flow of information about a consumer, while providing the consumer at the same time the ability to rectify any errors causing his unwarranted difficulties.

The new title will protect the consumer from inaccurate reports, but our amendments seeking to protect individual privacy were rejected by the conferees from the other body. Thus, this bill will not adequately, in my opinion, protect the right to privacy of our citizens. H.R. 16340 and H.R. 19403 would have offered such provisions to protect privacy. I hope the new law can be amended in the next Congress to protect this invaluable right more effectively.

Nevertheless, while the conferees did not adopt a number of important amendments put forth by the House conferees, it is my opinion that the bill as reported will accomplish its intended result. The major provisions of this title are as follows.

NOTIFICATION OF EXISTENCE OF FILE

First, the consumer is given the right to be told of the name and address of the consumer reporting agency when he is rejected for credit, insurance or employment at the time of such denial. In this manner, the individual would be made aware of the existence of any adverse information and could avail himself of the right of access to the information in his file. The House conferees attempted to add a provision requiring consumer reporting agencies to notify an individual of the existence of a file on him the first time a request is made for a consumer report after the effective date of the act, so as to provide an opportunity to examine, and correct if necessary, any erroneous information before any damage to him occurs. Regrettably, this amendment was not adopted.

ACCESS TO INFORMATION IN A CREDIT FILE

Second, the consumer is given free access to examine the nature and substance of the information in his file at the consumer reporting agency. All information should be available to him, with the exception of the sources of investigative information which can only be obtained through the appropriate discovery procedures of the court in which an action is brought to enforce compliance with the act. The term "nature and substance of all information" was discussed by the conferees, and it was agreed that the only prohibition intended by the term was to limit the individual from physically handling his file.

In view of statements in the CONGRESSIONAL RECORD in connection with the other body's consideration of the conference report that "nature and substance" is supposed to mean just what it says, and that the clarifying views in the statements of the managers on the part of the House goes beyond the understanding of one of the Senate conferees in interpreting this language, I want to stress that when we offered our amendment to strike the words in question, we were informed that the words "nature and substance" were necessary in order to make clear that the actual file itself, with identification of sources of investigative information, was not to be required to be made available. This was in conformance with the House conferees' position, that the file itself did not have to be turned over to the consumer.

At the same time, since the words "nature and substance" have no legal definition, we stressed that the consumer should have access to all information in any form which would be relayed to a prospective employer, insurer or creditor in making a judgment as to the worthiness of the individual's application for such benefits.

Despite the claimed uncertainty as to the conferees' intent, which they have resulted from the fact that this item was the last matter to be disposed of in a conference which had begun at 10:30 a.m. and continued with frequent interruptions until 5:30 p.m., and covered scores of points in controversy, it is the firm opinion of the House conferees that there was agreement that "nature and substance" means all information in the file relevant to a prudent businessman's judgment in reviewing an individual's application for credit, insurance or employment, other than material clearly excluded, such as the sources of investigative information. It is not intended that the credit reporting firm should have a free hand in excluding from the consumer's access information other than medical information it just does not want to give him, but will give to a client-user.

Thus, if a credit reporting agency intends to relay to a prospective insurer charges that the individual "uses marihuana"—an automatic reason for turndown by some insurance companies—it would not meet the requirements of this section for the reporting agency to allow the individual to know only that the file shows "traits of moral laxity" or something of that nature.

REINVESTIGATION OF DISPUTED ENTRIES

The bill also contains the requirement on the consumer reporting agencies to reinvestigate disputed items of information and correct if found inaccurate. If the dispute is not resolved, the reporting agency must note the existence of the dispute and enclose a brief statement of the consumer's explanation regarding the dispute.

ADVANCE NOTIFICATION OF TYPE OF INVESTIGATION TO BE MADE

Fourth, the bill requires those entities who procure or prepare investigative reports which deal with highly sensitive and personal information to inform the consumer before the investigation is begun of the nature of such an investigation. Upon request, the agency must furnish more detailed information, a "complete and accurate disclosure of the nature and scope of the investigation requested." Just as disclosure of the "nature and substance" of all information in the files means disclosure of all information in the files but without physical handling of the files, so also disclosure of the "nature and scope" of the investigation means disclosure of all the items or questions which the investigation will cover. The best method of meeting this criterion is for the agency to give the consumer a blank copy of any standardized form used. In addition, adverse investigative information must be reverified before it is included in a subsequent report.

CARE AND ACCURACY

Also, there is the general requirement that consumer reporting agencies must maintain reasonable procedures to assure that recipients of the reports are authorized to receive them. These procedures must also be maintained to assure maximum possible accuracy of all consumer reports.

ELIMINATION OF OBSOLETE DATA

The bill also requires the discarding of information after a certain number of years. The industry has recognized this problem and the bill makes it mandatory on all agencies to follow these practices.

ADVERSE PUBLIC RECORD INFORMATION

Reporting agencies must also notify the consumer when adverse public record information, such as suits, tax liens, arrests, indictments, convictions, bankruptcies, judgments, and the like, are being reported to a potential employer. In lieu of this requirement, reporting agencies must maintain strict procedures to verify the current status of such public record items.

OBTAINING INFORMATION IN A FILE BY FALSE PRETENSE

Criminal penalties for obtaining information from consumer reporting agencies under false pretenses and unauthorized disclosure of information by officers and employees of those agencies are included in the bill.

LEGAL RECOURSE

The private enforcement provisions permit the consumer to sue for willful noncompliance with the act with no ceiling on the amount of punitive damages. The consumer may also sue for ordinary acts of negligence resulting in actual damage to him. Attorney's fees, as determined by the court, will be allowed for both forms of action. A 2-year statute of limitations from the date liability arises is provided, except that where the defendant has willfully misrepresented information material to the establishment of defendant's liability, the statute does not begin to run until discovery of such a misrepresentation.

Suit may be brought in any appropriate U.S. district court without regard to the amount in controversy, or other court of competent jurisdiction.

The bill bars defamation and invasion of privacy suits against an agency, but only if the individual bases his suit on the information disclosed under the act. If the individual uses information obtained through independent sources, whether he has also obtained disclosures under the act or not, he may of course bring any action allowed by common law or statute. It is not intended that the bill grant any immunity to an agency from such suits by individuals whenever the agency has furnished information under this act. In my opinion, this is made clear by the discussion in the Senate committee report.

ENFORCEMENT BY FEDERAL TRADE COMMISSION

Compliance is further enforced by the Federal Trade Commission with respect to consumer reporting agencies and users of reports who are not regulated by another Federal agency. The Federal Trade Commission can use the cease-and-desist authorities and other procedural, investigative and enforcement powers which it has under the FTC Act to secure compliance. Compliance on the part of financial institutions or common carriers regulated by another Federal agency would be enforced by that agency, using its existing enforcement authorities to bring about compliance.

While the conferees did not agree to the House amendment to give the Federal Trade Commission the authority to issue regulations, it is strongly urged that the FTC employ their existing regulatory authority to the greatest possible extent to assure wide-scale compliance with the act.

INCONSISTENT STATE LAWS

State laws which are inconsistent with the Federal law would be preempted only to the extent of the inconsistency. No State law, however, would be preempted unless compliance with that law would entail a violation of Federal law. In short, State laws requiring additional duties should not be affected by the passage of this law.

PRIVILEGE TO SERVE AS CONFERENCE CHAIRMAN

Mr. Speaker, it was a privilege and honor for me to serve as chairman of the conference committee during the second half of our deliberations, after Congressman PATMAN, who had previously served as chairman, was required to be absent.

A conference committee has been described as a third House of Congress, because of the wide latitude it possesses in seeking to compromise highly controversial or highly technical issues in dispute between the two Houses. The responsibilities which go with this latitude are serious, and I think all of us were aware of them.

I want to pay tribute to the fine work done on this legislation by the Senate conferees as well as by the House Members who served on this conference. Just as Congressman PATMAN deserves the greatest share of the credit for the bank transactions and recordkeeping provisions of the original bill and for the improvements made in conference, so Senator PROXMIRE of Wisconsin, can take great pride in the credit card and credit reporting features for it was on his initiative that these measures first passed the Senate and were later incorporated in this bill.

I ask approval of the conference report.

Mr. BOW. Mr. Speaker, will the gentlewoman yield?

Mrs. SULLIVAN. I yield to the gentleman from Ohio.

Mr. BOW. I should like to ask a question for clarification, if I may. Title VII of the bill, relating to credit reporting agencies, was originally passed by the Senate as a separate bill, S. 823. In reporting that bill, the Senate Committee on Banking and Currency described the bill as covering "reports on consumers when used for obtaining credit, insurance or employment" and expressly stated that it "does not cover business credit reports or business insurance reports." Since we do not have a report from the House committee, and since the conference report does not mention this exclusion, I would like to inquire if the intent of the present bill is the same—that is, to exclude business reports from its coverage.

I read from the Senate report:

> The bill covers reports on consumers when used for obtaining credit, insurance or employment. However, the bill does not cover business credit reports or business insurance reports.

Does the gentlewoman agree that we do exclude from this bill business reports from its coverage?

Mrs. SULLIVAN. I am happy to inform the gentleman that that is exactly my understanding and our understanding of the bill. Business reports are not included.

Mr. BOW. Are not included?

Mrs. SULLIVAN. That is correct. Insofar as reports of a business nature are concerned, this point was raised continually in our hearings on H.R. 16340 in the Subcommittee on Consumer Affairs, and I think we always made clear that we were not interested in extending this law to credit reports for business credit or business insurance. The conference bill spells this out, furthermore, in section 603(d), which defines a "consumer report" as a report, and so on, "which is used or expected to be used or collected in whole or in part for the purpose of serving as a factor in establishing the consumer's eligibility for (1) credit or insurance to be used primarily for personal, family, or household purposes" and so forth.

Mr. BOW. Would the gentlewoman permit the gentleman from New Jersey also to respond so that we can have complete clarification of congressional intent?

Mrs. SULLIVAN. I am happy to yield to the gentleman from New Jersey.

Mr. WIDNALL. I thank the gentlewoman for yielding to me. The answer is the same. There is no intention to include business reports.

Mr. BOW. I thank the gentlewoman for yielding and for her response.

Mr. WIDNALL. Mr. Speaker, will the gentlewoman yield?

Mrs. SULLIVAN. I yield such time as he may require to the gentleman from New Jersey (Mr. WIDNALL).

Mr. WIDNALL. Mr. Speaker, I want to point out that the House conferees were not unanimous in concurring in the conference report on H.R. 15073. Our failure to concur does not relate so much to dissatisfaction with the legislation as to the means by which it has been brought before us. The only reason I am not going to oppose the acceptance of the conference report is that the lateness of the session makes it unlikely that the needed provisions could be separately resolved. In addition, I recognize as a result of the passage of the congressional reorganization bill the other body's tendency to attach nongermane amendments to our bills will be minimized.

Titles I through IV of H.R. 15073 deal with the problems occasioned by secret foreign bank accounts. The Senate amendments in which your conferees agreed represent an improvement in the bill. By compromising the language in the statement of purpose in title I we have made it clear that the Secretary of the Treasury will have discretion in determining which types of records will have a high degree of usefulness in crim-

inal tax and regulatory investigations and proceedings. At the same time we have made it clear that Congress intends that he shall require the maintenance of microfilm or other appropriate records of those transactions which will be useful.

From both the public's point of view and the Government's this is a more practical approach than was originally embodied in H.R. 15073. With discretion to determine what records will be useful the Secretary can be selective and flexible. As conditions, or criminal practices, change he can alter the recordkeeping requirements. Banks on the other hand will not be required by an inflexible law to photocopy all records but only those which will be useful in criminal investigations or proceedings. For many this will reduce the cost of complying with the law and from the law enforcement officer's point of view it will materially reduce the number of records which must be reviewed during an investigation.

The House bill had an exemption from the photocopying requirement for all checks under $500. There was much objection to this exemption in some quarters on the basis that checks of under $500 had actually proved useful in some criminal investigations. This amendment has been dropped in view of the broad discretion given to the Secretary to determine what records will be useful plus an additional amendment granting the Secretary broad exemptive powers so long as exemptions granted do not counteract the purposes of the act.

Title II of the bill establishes authority to require certain records and reports of currency and foreign transactions. Amendments to the declaration of purpose to which your conferees agreed restore a proper perspective to this title. This is, after all, a bill designed to assist in the investigation and prosecution of criminal activities. The problems to which we addressed ourselves during its consideration were not related to the supervision of financial institutions nor the collection of statistics necessary for the formulation of monetary and economic policy. It was not the financial institutions which were at fault but those who utilized the various services of financial institutions to escape our laws. The problem lay in the fact that a lack of adequate records in financial institutions has hampered efforts to prosecute these people. The purpose of this title as now written is specifically directed to requiring reports and records which will have a high degree of usefulness in criminal, tax, or regulatory investigations or proceedings. I believe this is a major improvement.

Other amendments explained in the statement of managers are more technical than substantive but I am satisfied that in toto we have reached a favorable accord on this subject.

Title V prohibits the unsolicited mailing of credit cards. The House had previously passed a bill, H.R. 16542. The House bill also prohibited the unsolicited mailing of credit cards unless sent by registered mail under certain specified conditions which were set forth in the bill. During the conference we asked the Senate to accept this exception as an amendment to section 132 of the bill but it was rejected.

As indicated on page 20 of the conference report the House agreed to an amendment limiting Federal jurisdiction in cases involving fraudulent use of credit cards to those instances involving $5,000 or more.

Title VI contains the language of S. 823, the Fair Credit Reporting Act. Bills relating to this subject which have been before our committee for several months have proved so controversial that no concensus has been achieved, and hence no bill has been reported or acted upon. It is impossible to say whether the provisions of title VI would, or would not, have been acceptable had it been brought to the floor in the normal manner. All that can be said is that as presented here today it represents only a minor change from the bill originally passed in the other body last November, a bill which Mrs. Virginia Knauer endorsed in hearings before our committee. For this reason I am inclined to the conviction that it is adequate unto the moment as an initial attempt to assist consumers. However, I have not signed the conference report because I will not support the enactment of such controversial legislation by a means that denies the committee and the House a free opportunity to work their will.

The problems raised by doing so are no better illustrated than by reviewing the other body's action this past Friday as it considered the conference report and the statement of our managers.

On page 28 of the conference report it says:

> Your conferees also intend that the definition of "consumer credit report" not include protective bulletins issued by local hotel and motel associations, and circulated only to their members, dealing solely with transactions between members of the associations and persons named in the report.

This language was included because evidence submitted to members of the Consumer Affairs Subcommittee disclosed that hotels and motels are plagued by people who skip without paying bills—or pay with checks that bounce. To protect themselves against such undesirable occupants they circulate their names, and sometimes their photos, among themselves. It would be impossible for hotels or motels to comply with requirements of the bill involving notices to these consumers because, for obvious reasons, they do not provide addresses where they can be located. To us it does not seem logical to restrict an honest businessman's efforts to protect himself against persons who are obviously dishonest. Hence the language in the report.

But last Friday as the other body debated the report the Senator from Wisconsin stated:

> To the extent that a local hotel or motel association compiles credit *or other* information from its members and makes such information available to its members, it is making consumer reports as defined under section 603(d) and is acting as a consumer reporting agency as defined under section 603(f).

On the other hand the Senator from Utah said:

> Such bulletins can, under the bill as I interpret it, be circulated within the various branches of a nationwide chain without any difficulty and without any restrictions.

How does anyone interpret congressional intent with this kind of a record? I do not believe there are many of us here in the House who would deliberately vote to restrict the dissemination of the names of known criminals yet as a result of bypassing our prescribed legislative procedures we are not certain what we are voting for in title VI of this bill. It is my sincere hope that the courts and enforcement agencies will interpret this bill in light of its real objectives as set forth in the statement of findings and purpose in section 602.

Mrs. SULLIVAN. Mr. Speaker, I yield 5 minutes to the gentleman from Ohio (Mr. WYLIE).

Mr. WYLIE. Mr. Speaker, I thank the gentlewoman from Missouri for yielding.

Mr. Speaker, I am not opposed to the acceptance of the conference report on H.R. 15073, this is a motherhood bill. But, I would be remiss if I did not explain why I did not sign the conference report and to express dismay as to the way certain provisions were considered and, most especially, chapter VI, which deals with consumer credit reporting.

Chapter VI was added to the bill known as the secret Swiss bank account bill by the Senate as a nongermane amendment.

The House recently adopted a rule in the legislative reorganization bill that nongermane Senate amendments would need a two-thirds vote of the House for acceptance. The Senate agreed to this and it has now been sent to the President for signature. But, beyond that, this matter had been taken up in an executive session of the House Banking and Currency Committee and the committee instructed the chairman to object to the inclusion of what was, in reality, S. 823 as a nongermane amendment. Despite assurances to the contrary, I heard not one word of opposition to the consideration of title VI except those voiced by me. And this reveals the real power lodged in the other body. The procedure in the Currency Committee is a clear indication that the members of the Banking and Currency Committee were justified in their objection to the acceptance of title VI. As noted previously, title VI is essentially S. 823 passed by the other body last year and referred to our committee on November 12, 1969. On March 5 of this year, the gentlewoman from Missouri, the chairman of our Consumer Affairs Subcommittee, introduced her own bill—H.R. 16340—and during March and April we held 6 days of hearings on these measures.

Those hearings were revealing in an interesting variety of ways. Let me point some of them out.

First, it was obvious that mistakes do occasionally occur in various types of credit reports, which mistakes are harmful to consumers in their efforts to obtain credit, insurance or employment.

Second, it was contended that many people who are so harmed are unaware of the fact that misinformation in a credit report has harmed them.

Third, it was clearly apparent that at least in a minimal number of instances, consumers who were aware of reports or that reports contained misinformation, found it difficult to impossible to find out the nature of information in reports being issued about them or to get misinformation corrected.

It is my judgment that on the basis of this information, our subcommittee was in agreement that legislation to correct these problems would be appropriate. On the other hand, the hearings also disclosed some other interesting facts.

First, is the fact that even among those complaining of abuses of the credit reporters, there was unqualified agreement that credit reporting services are essential to the conduct of business and commerce. It was obvious that most reports are accurate and facilitate the consumer's acquisition of credit, employment and insurance. To a significant number of our subcommittee, this fact suggested that any legislation should be carefully drawn so as not to impede this essential and helpful flow of credit information.

Second, we were made aware of the fact that an awesome variety of firms and techniques are employed for the exchange of what I have broadly categorized throughout these remarks as "credit information." This made it apparent beyond any doubt that great care had to be exercised to draw the legislation so that all those engaged in the dissemination of consumer credit reports relating to a consumer's eligibility for employment or credit and insurance for personal family or household use were covered under the legislation but that activities conducted by banks, for instance, for its own use, protective bulletins issued by local hotel and motel associations and circulated only to members, should not.

Between April 14 and August 6, the subcommittee met, formally or informally, in five executive sessions, considering S. 823, H.R. 16340, and a series of committee drafts in an attempt to reach agreement on a bill that would provide the consumer with the needed protections without disrupting the efficient flow of information. A draft dated August 17 was circulated to all groups which we knew to be affected because up until that time, there was no consensus in the subcommittee regarding the other bills before us. On the basis of the comments we received on this draft, we were able to draw up a bill which we thought met the need. I was pleased to introduce this as H.R. 19410 along with the gentleman from Pennsylvania (Mr. WILLIAMS), the gentleman from Georgia (Mr. STEPHENS), and the gentleman from California (Mr. HANNA). It was a truly bipartisan effort to stimulate agreement so this legislation could be moved ahead. I regret to say that it has not been possible to convene the subcommittee to consider this bill. The result was that we were required to go to conference to consider a measure which the subcommittee did not think was adequate—regarding a question on which the full House has never expressed a view. I am convinced we could have brought a better bill to the floor.

I take exception to that portion of the statement of managers entitled "Disclosure to Consumers." As a conferee it was not my intent that section 609(1) be interpreted to require the disclosure to a consumer of all information in his file. For example, we have specifically agreed that medical information as defined in the first House amendment should not be disclosed. In addition, it is clear from the definition of "consumer report," and it was certainly clear in all the discussions in our subcommittee meetings, that we were concerned about information which is used or expected to be used or collected in whole or in part for the purposes of serving as a factor in establishing the consumer's eligibility for credit or insurance to be used primarily for personal, family, or household purposes, or employment purposes. It is perfectly possible that certain firms may have information in their files which relates to business transactions, court proceedings, frauds or other matters which would not be used in consumer credit reports. It was not my intent, nor do I believe it was the intent of other members of the Consumer Affairs Subcommittee, to make any provisions of this legislation applicable to reports or information concerning anything other than employment or personal, family, or household uses. The managers, in making the statement in the report that it is to require disclosure of all information have done so without benefit of the committee's vote and contrary to what I judged to be its feeling.

In addition, the managers on the part of the House have suggested that the definition of a consumer credit reporting agency should not include insured financial institutions whose lending officers merely relate information about an individual with whom they have had direct financial transactions. The CONGRESSIONAL RECORD for October 9, during the consideration of the acceptance of the conference report by the Senate, indicates considerable confusion as far as the Senate conferees are concrened about this.

I refer to the language on page 35942 where Senator BENNETT said:

> During our discussions in the Senate, the problem which could be created by this legislation for the transfer of information between correspondent banks was discussed very thoroughly. It was my position that correspondent banks should be allowed to transfer information on their customers to banks with which they had a correspondent relationship without being considered a consumer reporting agency or the information being considered a consumer report. It was argued, however, that if a complete exemption were granted, banks could in effect establish consumer reporting agencies without being subject to the same restrictions which would govern the activities of other consumer reporting agencies not affiliated with a bank.

Additionally, it was never the intention of anybody in the Consumer Affairs Subcommittee to include the technical bulletins issued by local hotel and motel associations, and this intent is expressed in the statement of the managers on the part of the House. Again, the Senate conferees, in presenting the bill to the Senate expressed complete surprise at this language and acted as if they never heard of it. The point I am making is that this is not the proper way to legislate. The procedure of adding nongermane amendments available to the Senators should not be acceded to by the House without mention. I objected to taking up this bill until the House had acted but was obivous that the skids were greased and that the conferees on the other side of the aisle had already decded the outcome.

It is really unfortunate that we must legislate in a manner such as this which leaves so many questions unanswered. Be that as it may, the question of accepting the conference report is now before us. Inasmuch as there will probably be no bill on consumer credit reporting this year unless we accept the provisions of title VI, I reluctantly recommend acceptance of the report.

Mrs. SULLIVAN. Mr. Speaker, I must rise to correct a statement made by the gentleman from Ohio.

The Committee on Banking and Currency did not instruct its chairman to refuse to consider S. 823. Several members of the Committee on Banking and Currency did make observations concerning this legislation, and also the credit card title, but the Chair was not instructed nor, in fact, under the rules of the House could the membership of the Committee on Banking and Currency have instructed any of the conferees.

I have talked to members of the conference from the other body and a majority of the House conferees were convinced that if this matter were not considered in conference, there would be no conference bill at all. Therefore, the decision was made to go ahead with the conference and include the matter of credit bureaus and credit cards.

Mr. WYLIE. Mr. Speaker, will the distinguished gentlewoman yield on that point?

Mrs. SULLIVAN. Yes.

Mr. WYLIE. I would stand corrected. We did have discussion of it in the Committee on Banking and Currency in executive session and it was my impression that the Members felt the consumer credit reporting bill should be reported out by the full committee first. There was no formal action in committee, to be sure. I think the point was also made on the floor of the House that the consumer credit reporting bill should not be included in the conference because of the fact that it was added as a nongermane Senate amendment.

Mrs. SULLIVAN. I know that there were observations made by members of the committee, I would say to the gentleman, but there were no instructions given.

Mr. WYLIE. I thank the gentlewoman.

Mrs. SULLIVAN. Mr. Speaker, I yield 5 minutes to the gentleman from Michigan (Mr. BROWN).

Mr. BROWN of Michigan. Mr. Speaker, I am sorry the Legislative Reorganization Act which we have passed will not be effective until January. If it were in effect today and we were afforded the opportunity of separate votes on the nongermane titles of this bill—H.R. 15073—I doubt seriously that title VI would pass. While most of us recognize the desirability of legislation establishing standards for consumer credit reporting and clear rights and privileges

for consumers to protect themselves against the dissemination of misinformation, most of us who have studied this problem are aware of the deficiencies of the bill the other body is now ramming down our throats. Certainly, those of us who have worked closely with this legislation as members of the Consumer Affairs Subcommittee are aware of its shortcomings. I will go further and say that based on the discussions which took place within our subcommittee, we would have reported out a bill treating the problem much better than does the Senate bill.

As the gentleman from New Jersey has pointed out, there is considerable confusion about how this bill will be interpreted. The definitions are so vague that no one is certain what is included as a "consumer credit report" nor who or what is to be construed as a "consumer credit reporting agency." In the findings and purpose section—602(3)—of title VI, we find the statement:

> Consumer reporting agencies have assumed a vital role in assembling and evaluating consumer credit and other information on consumers.

On the basis of this, I assume that the other body shared the view which clearly prevailed in our subcommittee that the exchange of information on consumers was desirable and necessary to the conduct of business and commerce. Yet, this very exchange is now to be jeopardized by vague legislative language. Neither Senators, Representatives, nor lawyers for affected businesses can agree what it means.

The colloquy which has just occurred on the floor between the gentleman from Ohio (Mr. BOW), the gentlewoman from Missouri (Mrs. SULLIVAN), and the gentleman from New Jersey (Mr. WIDNALL), is ample evidence of this confusion between the intent and what has been written in haste in the bill. Despite rules of interpretation, this Member would admonish all to resolve any questions of interpretation in favor of the intent expressed.

As an example of what "consumer reporting agency" as defined in the bill does not mean, the managers for the House included in the conference report on page 28 a statement regarding financial institutions. Senators from both sides of the aisle commented on the inclusion of the statement in the report but a close examination of their views in the RECORD of October 9, pages 35941 and 35942 leaves me with the conviction that there was no real objection to, or contradiction of, the meaning of this statement but merely to the fact that it was not discussed more fully by the conferees.

I think we are all agreed that when an institution or business, regardless of what it calls itself, be it a bank, a detective agency, credit bureau, merchant's association, or what have you, regularly engages in the business or the practice of issuing credit reports on individuals, it should be construed as a credit reporting agency. On the other hand, there was ample evidence submitted to our subcommittee to justify, even dictate, exemption from the definition of consumer reporting agency of those businesses or institutions whose transmission of information relative to individuals is incidental to their regular activity and where the information transmitted is related to the relationships between that institution and the individual. To me this is what the report says. It is unfortunate that the language of the legislation is vague on this point, but notwithstanding the fact that the other body has objected to something in the report which may not have been discussed sufficiently in the conference, I find nothing in the discussion which has followed, to indicate any disagreement on the intent.

Mr. Speaker, I yield back the balance of my time.

Mrs. SULLIVAN. Mr. Speaker, I would like to inform the House that the Nixon administration not only favors this legislation but wanted, and testified before us in favor of, a stronger bill.

Such testimony was given at our hearings both by Mrs. Virginia Knauer, the President's Special Assistant for Consumer Affairs, and Mr. Weinberger who was then the Chairman of the Federal Trade Commission and is now a high ranking official of the administration in the successor agency to the Budget Bureau. They both supported H.R. 16340, Mrs. Knauer doing so specifically in behalf of the Nixon administration.

Mr. BROWN of Michigan. Mr. Speaker, will the gentlewoman yield?

Mrs. SULLIVAN. I am happy to yield to the gentleman.

Mr. BROWN of Michigan. I totally concur with the gentlewoman from Missouri. I think it was agreed in the subcommittee that the legislation was necessary. There have been abuses in the industry and I am sure the administration totally concurs with respect to the necessity for legislators.

I am not criticising the aim or intent. But, what I am criticising is the haste with which the language was adopted. Certainly, the Senate did not spend as much time on this legislation as you and I did. All I am saying is we could have had a better bill had the gentlewoman and the subcommittee had an opportunity to report one out.

Mrs. SULLIVAN. I will say that had we acted as we would rather have acted, we would have had a better and stronger bill. But we were faced either with accepting the two or three items that were put in the conference report or rejecting all of them.

Mr. WIDNALL. Mr. Speaker, will the gentlewoman yield?

Mrs. SULLIVAN. I am happy to yield to the gentleman.

Mr. WIDNALL. Mr. Speaker, I would like to compliment the gentlewoman from Missouri for the hard work that she has put in on the credit reporting section of this bill.

Actually, all members of the subcommittee worked many, many hours with the staff to try to develop a bill on our side, and because of their own sense of fairness and wanting to do a real job, I think that is what occasioned the delay in reporting one on our side.

Mrs. SULLIVAN. I thank the gentleman.

Mr. WYLIE. Mr. Speaker, will the gentlewoman yield?

Mrs. SULLIVAN. I am happy to yield to the gentleman.

Mr. WYLIE. Mr. Speaker, again I would be remiss if I did not associate myself with the remarks of the gentleman from New Jersey (Mr. WIDNALL) and compliment the gentlewoman from Missouri for her diligent, conscientious, arduous and hard work in attempting to bring a bill out of the subcommittee.

I want to say, I am in no sense being critical of what the gentlewoman from Missouri did so far as this bill is concerned.

Mrs. SULLIVAN. I thank the gentleman. All of the minority members of the Subcommittee on Consumer Affairs, including the gentleman from Ohio (Mr. WYLIE), the gentleman from Michigan (Mr. BROWN), and others, devoted a great deal of time to this issue and I deeply appreciated their interest. All of us on the subcommittee worked hard on it. But when the gentleman from Ohio indicated earlier that a bill be introduced in the final stages of our subcommittee work, H.R. 19410, represented a consensus bill, or an effective bill, I would have to disagree. Anyone wishing to compare that bill with the several bills I introduced, or with this final version of the legislation, would, I am sure, not imagine that H.R. 19410 would have been a more effective piece of legislation—that is, if we are talking about consumer protections.

Mr. Speaker, in view of the discussion about possible confusion over the statement of the managers on the part of the House accompanying the conference report as to the applicability, or nonapplicability, of the credit reporting title to insured financial institutions whose loan officers merely relate information about an individual with whom they have had direct financial transactions, I feel I should make this clarifying statement.

The comment in the report was not intended to give a blanket exemption to all credit reporting activities of insured financial institutions regardless of the circumstances. Obviously, a bank cannot establish a credit bureau as one of its departments and escape the coverage of this statute, as the bill itself makes clear.

Mr. Speaker, I have no further requests for time and yield back the balance of my time.

Mr. SCHMITZ. Mr. Speaker, the banking portions of the bill now before us, H.R. 15073, are a blueprint for "Big Brotherism" in the financial transactions of American citizens. It gives blanket authorization to the Secretary of the Treasury to require every bank in the United States insured by the Federal Deposit Insurance Corporation—which means, for all practical purposes, all banks—to keep "a record of each check, draft, or similar instrument received by it for deposit or collection, together with an identification of the party for whose account it is to be deposited or collected" and any other records of individual financial transactions which the Secretary may require to be kept.

This is not merely an authorization for examining the financial records of persons suspected of or charged with crime, rather, it sets up a mechanism whereby every bank transaction—even every canceled check—of every American citizen can and will be brought un-

der the purview of Government. This is "Big Brother is watching you" with a vengeance.

If the Federal Government has reason to believe that a specific individual or corporation is violating the law or making away with funds illegally obtained, then Federal investigators should be able to gain access to bank records, under proper controls. But the overwhelming majority of American citizens who are not criminals are entitled to look to their Government for protection, not invasion, of their right to personal and financial privacy. So far as bank accounts go, they lose that right once and for all if this bill becomes law.

Mr. PEPPER. Mr. Speaker, the House Committee on Banking and Currency should be commended for its excellent work on H.R. 15073, a bill requiring bank recordkeeping and the setting of a limitation on the use of secret foreign bank accounts for illegal and illicit purposes.

As chairman of the House Select Committee on Crime, I have become increasingly alarmed as I have traveled throughout the country at the appreciable increase in white collar and sophisticated crimes perpetrated not only by so-called organized crime figures but also by people who have an alleged reputation for responsibility and rectitude within our society. I can state without the slightest reservation that this bill, as reported from conference, will go far in reducing the alarming increase in white collar and financial crimes. These crimes, although less spectacular of public notice and press coverage than so-called street crime, have a greater deleterious effect upon our society than street crime since they tend to undermine the confidence which people have in the ability of Government to respond to the lawlessness of the rich and powerful who control organized and syndicated crime.

The use of secret foreign bank accounts to conceal and perpetrate illicit activities that violate our securities, fraud and tax laws is not new.

Robert M. Morganthau, former U.S. attorney for the southern district of New York, has testified at length before Chairman PATMAN'S committee as to the variety of crimes perpetrated through the use of foreign secret Swiss bank accounts; not only by organized crime figures but also by people in positions of power and responsibility in our society.

Furthermore, the secrecy provided by these accounts has become an essential and indispensable tool for the perpetration of sophisticated criminal acts. Although not as spectacular as the crimes of violence, acts perpetrated through the use of secret Swiss and Liechtenstein bank accounts, have for several years served as a protective umbrella against the prosecution and detection of criminal elements within our society.

Our New York hearings, which focused upon the multiple questions of heroin importation, distribution, and packaging substantiates beyond a peradventure of doubt that organized crime often turns to the use of Swiss bank accounts to hide their illicit control and dominion over international narcotics trafficking.

Ralph Salerno, a recognized authority on organized crime, has repeatedly testified that organized crime is a multi-billion-dollar business.

Robert M. Morganthau, Esq., has categorically stated that his 9-year involvement into investigation and prosecution of organized crime has led him to the inescapable conclusion that organized and syndicated crime grosses in excess of $50 billion a year, a large portion of which must be attributable to white-collar crimes.

The total take from such organized or syndicated crimes totals amounts in excess of the combined profits of our major American corporations. It is only natural that as white-collar crimes have become more complex and sophisticated, the amounts of money involved in such activities have become larger and, therefore, the use of financial transactions abroad to hide such vast amounts of money have become indispensable in effecting international criminal conspiracies.

Prior to the investigations and hearings leading up to the passage of this bill, everyone was willing to admit that these problems existed. However, no one seemed willing to provide a legislative response to curb these flagrant abuses.

It is for this very reason that I strongly applaud the legislative effort of the House Banking and Currency Committee, and particularly commend Chairman PATMAN for his unflinching efforts in this regard.

Mr. Speaker, I would like to speak briefly about one of the problems that is causing this country great concern and how this legislation will alleviate some of the present difficulties facing criminal prosecutors throughout the United States. I speak particularly of the shocking narcotics problem. I know from my own committee investigations that smuggling and selling of hard drugs contributes to much of the violent crimes in the streets.

It is impossible to speak about "street crime" without acknowledging the fact that hard drug addiction is inexplicably interwoven into the problems underlying every assault, mugging, robbery, and burglary committed by our Nation's growing addict population. Drug use is sapping the will of many of our young people. The crippling effects are too often permanent. There is no limit to what an addict will do to obtain money to feed his craving for narcotics, nor what he may do under their influence. However, few people are aware of, or willing to admit, that the problem lies much deeper than the addict or the local pusher. I refer to its source, the supplier. The sale and distribution of these very dangerous and insidious drugs is big business. It requires large financing and yields enormous profits. Profits which are used to penetrate and eventually control many of our legitimate businesses.

Our New York hearings established clearly how organized crime not only controls and monopolizes most of the significant heroin trafficking into this country, but also uses the classical channels of international banking to protect its vast profits and shelter its financial machinations. Often, respectable financial institutions are unwittingly used by organized crime to perpetrate their worldwide heroin operations.

We have heard from several witnesses who testified at our New York and Washington heroin hearings that problems of investigation, detection, and ultimate prosecution are difficult, if not impossible, since organized crime utilizes every conceivable financial channel plus the advantages offered by the secrecy laws of Switzerland, Panama, and the Bahamas.

Several leading prosecutors who have testified before the House Select Committee on Crime have stated that it has been difficult, if not impossible, for their respective offices to deal with organized criminal activity since organized crime figures avail themselves of the finest minds who skillfully utilize the channels of international finance conveniently aided and abetted by the various secrecy laws of Switzerland, Liechtenstein, Panama, Belgium, and the Bahamas.

One of the reasons for this difficulty is the lack of evidence. Our own domestic institutions have not been retaining records of these complicated financial transactions and, once the illicit money is in a foreign secret bank account, either by transfer from an American bank or by courier to a foreign bank, the shield of secrecy provided is almost impregnable.

This bill requires that our own financial institutions keep certain records and reports concerning the importing and exporting of large amounts of money. Additionally, the bill requires the keeping of records of foreign transactions. Such information will be helpful to our law enforcement officers in their pursuit of the illicit profiteers, who make vast sums of money by their multiple criminal machinations.

I do not mean to suggest that the legislation goes as far as I would like it to go. Much responsibility and discretion has been given to the Secretary of the Treasury. His administration of its provisions will determine much of its effectiveness and his early experience, I am sure, will enable Congress to improve on it. I have no doubt that the Secretary will immediately endeavor to devote his energies and his agencies resources to the proper implementation of this meritorious legislation.

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

The previous question was ordered.

The SPEAKER pro tempore. The question is on the conference report.

The conference report was agreed to.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mrs. SULLIVAN. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days to extend their remarks on the conference report just adopted.

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

There was no objection.

CONFERENCE REPORT ON H.R. 18546, AGRICULTURAL ACT OF 1970

Mr. POAGE. Mr. Speaker, I call up the conference report on the bill (H.R.

18546) to establish improved programs for the benefit of producers and consumers of dairy products, wool, wheat, feed grains, cotton, and other commodities, to extend the Agricultural Trade Development and Assistance Act of 1954, as amended, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the request of the gentleman from Texas (Mr. POAGE)?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 12, 1970.)

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

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

There was no objection.

The SPEAKER pro tempore. The gentleman from Texas (Mr. POAGE) is recognized.

Mr. POAGE. Mr. Speaker, I yield myself 5 minutes.

Mr. Speaker, I want first to express my thanks to the numerous Members who are present this afternoon at considerable sacrifice of their own convenience and expense.

Many of our Members are here for the purpose of passing this conference report. We deeply appreciate the interest, and I believe the American farmers and I trust the American consumers will appreciate that interest because this is a bill which we believe is essential to the welfare not only of American agriculture but it means some $10 billion to American consumers in the way of lower costs in the grocery store.

We believe that this is an essential piece of legislation and one which cannot well be long postponed; certainly I hope that it will not be the fault of this body if the matter should be postponed any further.

Mr. Speaker, yesterday we printed in the RECORD, on page 36132 and succeeding pages, the entire report, so that those who want to understand exactly what is involved here have had the opportunity and will continue to have the opportunity to read all of the changes.

I do not think that the membership of the House cares to engage in a long discussion of the details of this report. May I merely say that the conferees on the part of the House feel that we were reasonably successful in maintaining the position of the House. Certainly the basic position of the House was maintained. Certainly the basic ideas of the farm program passed by the House are still embodied in this conference report.

The only changes that were made were changes which increased the opportunities of farmers over the country to enjoy a somewhat better livelihood as a result of the legislation. But the basic legislation, founded upon the set-aside principle, is still the basis of this conference report. The idea that we would make payments only for production for domestic use is retained in this report. There will, under this report, be no payments for not growing crops. Payments will be made for production for domestic use. We believe that these are sound innovations. We believe that we have a bill that will maintain farm income, that will tend to hold the cost of living somewhere down lower than if we did not have the bill. We believe we have a bill which is essential to all parts of America.

Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma (Mr. BELCHER) whose cooperation has been so vital in securing both the passage of the bill and the agreement on the conference report.

Mr. BELCHER. Mr. Speaker, and Members of the House, I do not believe that any conference has ever been held between the House and the Senate in which the House has prevailed as much as we did on this particular bill. This bill, when it passed through the House, had stronger backing than any farm bill that has ever gone through here in the 20 years I have been here. It was supported by the chairman of the committee, the ranking member of the committee, the majority leadership, the minority leadership, the President of the United States, the Secretary of Agriculture, and the Bureau of the Budget. No bill has ever gone through this House since I have been here that had that much support.

I have in my hand a letter from the President of the United States. It states as follows:

THE WHITE HOUSE,
Washington, D.C., October 8, 1970.

Hon. PAGE BELCHER,
House of Representatives,
Washington, D.C.

DEAR PAGE: I appreciate the fine work that you and your colleagues have done in bringing the farm bill through the Conference Committee.

As I indicated in my earlier letter to you, I considered the farm bill reported by the House Committee on Agriculture good legislation. I expressed the hope that it would be enacted promptly and with minimum change. Although the bill proposed by the Conference Committee does make a number of changes, I believe it is the best compromise that could have been attained under the circumstances and one that this Administration can accept.

The scope and significance of this farm bill indicate that it is truly a team effort, and I congratulate you and the other conferees on the contributions you have made.

Sincerely,

RICHARD NIXON.

I also have in my hand a statement from Secretary Hardin on the conference report on the farm bill which completely supports the conference report. Mr. Speaker, I ask unanimous consent that it be printed at this point in the RECORD.

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

There was no objection.

The statement is as follows:

STATEMENT BY SECRETARY HARDIN ON FARM BILL CONFERENCE REPORT

I am extremely pleased that the House and Senate conference committee has been able to agree on the provisions for a new 3-year farm bill.

The President has indicated that the proposed bill is acceptable to the administration. I am optimistic that it will enhance the economic position of farmers in the years ahead. It goes a long way toward meeting the four basic agricultural goals of the administration: (1) To protect and improve farm income; (2) To provide more flexiblity for farmers in making their own farm operating decisions; (3) To develop greater reliance on the marketplace, enabling producers to become less dependent on Government programs; and (4) To balance our supply of agricultural products with the demands of the marketplace and consumer.

The new bill represents an extraordinary amount of effort by a great many people interested in the future of our agriculture. It also represents compromises on the part of the conferees and all committee members, as well as the administration. Farm organizations, listening conferences, producer and trade meetings, and months of conferences with members of Congress have all made their contribution and had their influence.

I congratulate the committee on a very fine effort.

I should add that early action by the House and Senate is urgently needed so that farmers can finalize their 1971 planting plans. Some of the crops to be harvested in 1971 are already in the ground, and others are fast approaching planting time. I hope that the conference committee bill can shortly be presented for approval in both Houses of Congress.

Mr. BELCHER. Mr. Speaker, I believe this is good legislation. I say that, and Members know I represent an urban area. There are very few farmers in my district, if any, who will receive any part of the benefits from this program. However, I feel that at this time to fail to pass a farm bill could bring on a depression, and when we bring on a depression, not only the farmers suffer, but also the people in the urban areas suffer. I represent a very highly industrial area and therefore I feel that, even though I have no personal interest as far as the farmers I represent, it is completely essential to the economy of this country to be able to retain a $50 or $60 billion farm market. Without this legislation I believe this farm market would gradually disappear. Any time it disappears, then the people in the cities are going to be hurt just as much as the people in the country.

In addition to that, the farm programs help the consumers as much as they help the farmers themselves, if not more. For that reason I represent a great many consumers and I feel completely justified in supporting this bill.

Mr. Speaker, I hope the conference report will be approved.

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

Mr. BELCHER. I yield to the gentleman from Mississippi.

Mr. ABERNETHY. Mr. Speaker, as one who has served on this committee for approximately 26 years and who has seen many bills come and go through the committee, I would like to say I have never seen the leadership in our committee do a better job than they have done on this particular measure. The gentleman in the well of the House, the gentleman from Oklahoma (Mr. BELCHER), the ranking Republican member of the committee, and the gentleman from Texas (Mr. POAGE), our highly regarded and respected chairman, have worked in a cooperative manner over a period of 18 months to bring this bill to the floor of this House.

We have had some disagreements, but they have all been resolved. I do not believe I ever have seen a better job done than has been done by the chairman and the gentleman from Oklahoma. On behalf of my farmers and the people of my State and agriculture in general I want to express to both gentlemen my thanks and extend to them my compliments.

Mr. BELCHER. Mr. Speaker, I want to say to the gentleman from Mississippi, who was chairman of the Cotton Subcommittee, that I believe the President stated it well when he said this farm bill is an expression of teamwork. There has been teamwork not only in the administration and the Department of Agriculture and the Bureau of the Budget, but also among all members of the full committee and the chairmen of the subcommittees, as well as the leadership on both sides of the House.

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

Mr. BELCHER. I yield to the gentleman from North Dakota.

Mr. KLEPPE. Mr. Speaker, the provisions of the conference report on the Agricultural Act of 1970 are not all that many of us would like to have seen, including myself, but certainly they are a great deal better than nothing at all, and a lot better than reverting back to the old, permanent legislation of the 1930's as amended through the years.

Further delays in the enactment of the bill will cause American farmers added inconvenience and loss. It is already very late in the season for many farmers to finalize their production plans for 1971. Some of the crops to be harvested in 1971 are already in the ground, and others are fast approaching planting time. Delaying action as now proposed by the Senate will hit hard at wheat producers and, at the same time, work a hardship on feed grain producers.

Based on the latest figures furnished to me by the U.S. Department of Agriculture, under the Agricultural Act of 1970, the gross wheat income for North Dakota is estimated to be $453 million; under the old legislation, and if the farmers approve the wheat referendum, gross wheat income would be approximately $356 million. And, under the old, permanent legislation, with the farmers voting "no" on the referendum, gross wheat income would only reach $279 million. At best, North Dakota farmers would lose $97 million; at worst, they would lose $174 million, if the Agricultural Act of 1970 is not approved by both Houses of Congress within the next few days.

Nationally, the figures are even more alarming. If this legislation is not passed, we revert to the old law, and with the farmers voting "no" on the wheat referendum, the resultant gross income for U.S. wheat producers would be nearly $2 billion. Wheat certificates under this alternative would be zero.

The estimated gross farm income under the set-aside program for 1971 is approximately $2.8 billion, including wheat certificates valued at $824 million.

The loss to American farmers, using the figures I have just referred to, amounts to $961 million.

If farmers would approve the wheat referendum under the old legislation, gross farm income for 1971 can be estimated at nearly $2.2 billion—a loss of $600 million.

Turning to the feed grain section of the Agricultural Act of 1970, under the set-aside program, we estimate the gross income to feed grain producers to be approximately $8.5 billion. Assuming that the bill before us today does not pass both Houses before the recess, and with farmers reverting to the old act, the estimates on gross returns to feed grain farmers in 1971 ranges between $6.9 and $7 billion. Here we have an estimated loss ranging from $1.5 billion to $1.6 billion.

I urge my colleagues to join me in voting for final passage of the Agricultural Act of 1970. I do this because I feel this legislation is considerably better than nothing at all, and because I would not want the Members of this body to be responsible for the added inconvenience and loss that will be experienced by this Nation's farmers if this bill does not become law shortly.

Our national prosperity is directly linked with our farm prosperity. Without a sound agricultural economy we are not going to have a sound total economy. The assistance we provide in the Agricultural Act of 1970 will be repaid many times over to American taxpayers and consumers. This bill represents the best bill possible at this time, even though it is not the best possible bill.

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

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

Mr. MAYNE. Mr. Speaker, I thank the gentleman for yielding and rise in support of the conference report. I commend the gentleman from Oklahoma (Mr. BELCHER), ranking minority member, and the distinguished chairman of the Agriculture Committee (Mr. POAGE) for their leadership in working in conference to obtain agreement on this bill which is a reasonable compromise of widely varying views.

Fortunately for the farmers of this country the conference committee did not follow the lead of those who said they preferred to have no farm program at all when their own particular version of the farm bill failed to muster the necessary support. Such an attitude was completely irresponsible and was in effect playing Russian roulette with the economic well-being of the American farmer.

While the bill we are voting on today is not perfect, it is an improvement over the expiring 1965 act in that it combines higher price supports with greater flexiblity and freedom of choice for the individual farmer. It is accompanied by a firm commitment from the administration to maintain total commodity payments at not less than present levels for the next 3 years. Let there be no misunderstanding about it, the alternative to our accepting this bill today is to pass no farm bill at all in the 91st Congress and to see all commodity programs expire at the end of the year.

Like all reasonable compromises, the bill falls short of the maximum goals of most Members representing agriculture districts including myself. But I would remind my colleagues that this bill is infinitely better than no bill at all which is the only practical alternative facing us today. I therefore speak in favor of the bill as approved in conference and urge my colleagues to vote "no" against the motion to recommit and "aye" on final passage.

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

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

Mr. ZWACH. Mr. Speaker, over the past 2 years, I have worked hundreds of hours in subcommittee, in committee, on the floor of the House, with Members of the Senate and with the Senate-House Conference Committee to get a workable and improved farm bill.

I, like many others, am disappointed in some features of the new bill which I know should be strengthened and improved.

I am pleased that the conference report retained the parity principle for feed grains which I worked so hard to get adopted. However, this came out at 70 percent instead of the 77 percent I had recommended.

The Zwach dairy amendment which guarantees competitive access by dairy producers to Class I base plan markets throughout the Nation was retained.

A floor under the loan for corn was set at $1. This, too, was lower than the figure which I supported.

A ceiling on payments was retained at $55,000. I supported a lower figure than $55,000, but at least in this area we are headed in the right direction.

Another improvement in the conference bill was the inclusion of a rural development title to more nearly balance rural-urban Federal planning and assistance.

An additional set-aside and public access payment for recreational purposes was established and this is especially important in our State of Minnesota.

Barley was added to the feed grain program.

The Secretary of Agriculture was authorized to make indemnity payments to dairy producers and processors and to beekeepers for losses suffered, through no fault of their own from pesticides and herbicides.

Mr. Speaker, most certainly I would have liked a better farm bill, but reality dictates that a better one could not have been obtained in this session of Congress, so I heartily support the conference report.

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

Mr. BELCHER. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Speaker, I would like to take this opportunity to compliment the gentleman from Oklahoma. I have received many calls today with regard to what the parliamentary situation would be on the limitation of payments. I would like to have this colloquy with the gentleman. The House passed a $55,000 limitation. Many on this side of the aisle, including myself, and on the other side of the aisle were disappointed that we did not get our way, that is a $20,000 payment limitation, together with restrictive

language. The Senate accepted the $55,000 limitation. That is where it stands, both the House and Senate having accepted the $55,000 limitation nothing further can be done in regards to payment limitations in this bill.

Mr. BELCHER. Yes.

Mr. Speaker, I thank the gentleman from Massachusetts for his cooperation on this bill.

Mrs. MAY. Mr. Speaker, will the gentleman yield?

Mr. BELCHER. I yield to the gentlewoman from Washington.

Mrs. MAY. Mr. Speaker, I will be brief. It has been said that a true compromise agreement can be identified by one single characteristic—that no one can be found who is happy with it. If this is true, Mr. Speaker, then I think the farm bill very definitely fits into this category.

But, even though many of us will agree that this is not the farm bill we would prefer, or would draft if it were left completely to us, I hope and trust we can all agree on the importance and the necessity of approving it as it is—as the conference committee agreed on it. No farm legislation is ever perfect or ideal, and this bill is no exception. But it is the best bill that can be produced at this time, under these circumstances, and I say this as a member of the Agriculture Committee and of the conference committee where we spent mornings and afternoons for most of 3 weeks trying to resolve the differences between the two bills.

Farm legislation is already months overdue, and any further delays can only cause further hardships to producers—such as the wheatgrowers of the Pacific Northwest who have already planted—and, delay in all likelihood, would result in a less satisfactory bill for U.S. farmers.

In my estimation, this is a better bill than that reported by our House Agriculture Committee and passed by this House several weeks ago. A number of improvements have been added in the conference committee which will make this legislation more effective for farmers. We need a bill, Mr. Speaker, and we need it now, so I urge my colleagues in the House to support the report of the conference committee.

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

Mr. BELCHER. I yield to the gentleman from Idaho.

(Mr. McCLURE asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. McCLURE. Mr. Speaker, the House is about to take final action on the farm bill, and once again I want to emphasize that this is not just a bill to help a few rich farmers. Every citizen of this country has a very important interest in this legislation, and every single Congressman must be aware that the bill affects his constituents—not in the insistent demand for lower prices for food or to keep the cost of living down, but in recognition of the fact that the farmer is in trouble. The long-range best interests of every Congressman and of the people he represents can be served only by maintaining a healthy agricultural economy. To do otherwise would be tragically shortsighted. Because it is stated so well, and because it is so pertinent to our present deliberations, I include at this point an editorial which appeared in the Idaho Statesman of Sunday, June 21, 1970:

FARMING: IDAHO'S "SICK INDUSTRY"

Farming is described as a "sick industry," both in Idaho and in the nation, by an Idaho State University economics professor.

Some city people may be skeptical about complaints from farmers about their plight. Here is an appraisal by an academic authority based on economic studies of the farm situation.

Prof. Cornelius Hofman made his comments in testimony before the Public Utilities Commission on a proposed power rate increase. He said it would hurt pump irrigators.

Aside from the power rate question, his facts and figures are interesting for what they say about farming. Agriculture is Idaho's most important industry. If farmers are in trouble, other people are in trouble, too.

Prof. Hofman cited a study indicating that a Cassia County farmer, pumping from 375 feet on 200 acres, can afford to pump if (1) his land cost is no more than $400 an acre (2) he accepts a 5 per cent return on capital (3) he accepts an 8 per cent return on operating capital (4) wages for his labor of $1.50 an hour and (5) no return for his management.

If you consider that $1.50 is a poverty level wage, that 5 per cent can be earned on ordinary savings accounts and that the farmer could be paying 8 per cent or more to borrow operating capital, the picture isn't very bright.

Since many farmers are paying high interest costs on land and equipment, even these figures don't tell the full story. Prof. Hofman feels a rate increase would have dire effect on the state's economy, and possibly on agricultural expansion.

This is only part of the testimony to be considered by the PUC. It deals with only one aspect of the farmer's economic situation.

Whatever its significance in the power rate case, however, it should tell the public that farmers who complain about thin operating margins aren't crying wolf.

These figures on pump irrigation may help explain the tremendous migration of people from rural areas as revealed in the preliminary 1970 census figures. Rising costs are "plowing up" some of Idaho's farmers.

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

Mr. BELCHER. I am happy to yield to the gentleman from North Carolina.

Mr. MIZELL. Mr. Speaker, I rise today to commend the conferees who have reported to this body the Agriculture Adjustment Act of 1970. For those of us who have worked on the farm bill since its beginnings more than 18 months ago, it is indeed gratifying to see the legislation before the House today in its final form.

We see before us today the product of many long and fruitful discussions involving the two bodies of Congress, the Department of Agriculture, the Agriculture Committee, and countless peripheral industries and interested parties.

Compromises have been made on every side in an effort to produce legislation which will truly benefit the farmer, as well as all American consumers.

This is a good bill—one which will provide farmers with the benefits of a solid farm program, while aiming at a gradual phaseout of dependence on the Federal Government and a return to market-based prices. I believe this goal has been reached in the Agriculture Adjustment Act of 1970—a delicate balance of many divergent views.

The American family has been blessed with the privilege of spending less of its income on food on a proportionate basis than any other family in the world. I feel confident that the legislation we have before us today will serve as a vital base for maintaining this distinction, as well as providing our farmers with a solid farm program with which they can continue to provide us with the finest commodities produced anywhere.

Mr. POAGE. Mr. Speaker, I yield 1 minute to the gentleman from Kentucky (Mr. CARTER).

Mr. CARTER. Mr. Speaker, I thank the distinguished chairman for yielding.

Mr. Speaker, the other body today amended the equal rights for women bill to include an amendment for voluntary prayer in schools. I wish to commend the other body on its action and trust that this House in its wisdom will do likewise. This action really reflects the will of the people of the United States and the majority of this House.

I thank the distinguished gentleman for yielding.

Mr. MIZE. Mr. Speaker, I urge all Members to support the 1970 farm bill when it comes before the House today for final passage. Congress should approve this legislation promptly, for the Department of Agriculture must have adequate time to issue regulations and distribute information to farmers on programs for the 1971 crop year.

Every Member, urban or rural, should cast his vote in favor of the Agriculture Act of 1970. This bill reflects an honest effort to provide wholesome food to consumers at reasonable prices, bolster the rural economy, maintain farm income, control surpluses, and provide farmers with increased flexibility in managing their own farms. These have been the goals of the Agriculture Committee and the administration—made especially difficult to achieve by intense competition for a larger share of the taxpayer's dollar.

FARM BILL IMPROVED IN CONFERENCE

The legislation before us is a compromise between the House and Senate passed versions of the Agriculture Act. More responsive to the needs of agriculture and rural America than either of the original bills, this act should provide a foundation for agricultural prosperity in the decade of the 1970's and beyond.

Those of us from agricultural districts have worked for greater income protection than was contained in the original House bill. Fortunately, the conference committee has approved several important Senate amendments designed to protect the farmer's income, while retaining provisions of the House bill which guarantee farmers greater "freedom of choice" in farm management.

Those prophets of doom who believed the urban-oriented Congress would abandon agriculture in this critical period of transition have been proved wrong again.

The final version of the Agriculture Act does not contain all the income protection and farmer-flexibility that I would have preferred, had I been drafting an ideal farm program in an ivory

tower. I have been a farmer and rancher. I have lived my life in a farming area, and have represented thousands of farmers in Congress for 6 years. I know farmers do not get fair return for their massive investment, highly developed skills, and long hours of work performed. But when responsible legislators are demanding minimum Federal spending to fight inflation, and kept taxes as low as possible—farm programs as well as urban programs must be drafted with realistic limitations in mind.

The members of the conference committee are to be congratulated for presenting an act which will meet the requirements of agriculture in these difficult times, and also have a reasonable chance of passing the House of Representatives where 70 percent of the Members are from metropolitan areas.

PAYMENT LIMITATION

Since the Agriculture Act of 1970 is an extremely complex and comprehensive bill, covering a variety of commodities and agriculture-related programs, I believe it would be helpful to discuss some of the more important provisions prior to the final rollcall vote.

This bill, for the first time, established a realistic limitation on payments to producers of cotton, wheat, and feed grains. Many large farming organizations have been harvesting literally millions in Federal payments for producing these commodities. Farm payments were designed in the first instance to protect the family farmer's income, not the profits of major corporate competitors.

The largest farming corporations have an advantage in the economies of scale, and therefore do not require payments so essential to family producers. Accordingly, an annual ceiling on farm payments of $55,000 per crop has been established by the Agriculture Act of 1970. This provision deserves the strongest possible support from Members who share the view that the family farm is an American tradition and part of our finest heritage.

DAIRY PROGRAM IS EXTENDED

This legislation amends and extends the authority for the dairyman's class I base plan in Federal milk market order areas, and provides that any area coming into the program during the next 3 years could continue to have it in effect through December 31, 1976. The Secretary's authority to donate dairy products owned by the CCC to the Armed Services and Veterans' Hospitals is continued, while authority to make indemnity payments to dairy farmers and processors who suffer loss from pesticide contamination is extended.

WHEAT PROGRAM IS IMPROVED

The new wheat program is of extreme importance to my constituents in Kansas, as well as farmers throughout the Midwest and Northwest. This legislation before the House today guarantees wheat farmers 100 percent of parity on all domestic wheat—currently $2.83 per bushel. Annual domestic consumption should average 530 million bushels in the years ahead.

On wheat produced for export, the bill guarantees farmers at least $1.25 per bushel by establishing a minimum loan at that level. Should export markets continue to expand, of course, the cash price received by farmers could be significantly higher than $1.25 throughout most of the year. As in the past, farmers must depend upon aggressive promotion of U.S. wheat sales abroad to maintain a strong cash price at the elevator. I am pleased with the success this administration has had in developing overseas markets for commodities and have been assured by Secretary Hardin and Assistant Secretary Palmby that every effort will be made to keep American wheat competitive and to expand sales even further.

The wheat program for crop years 1971–73 will inaugurate the administration's "set-aside" proposal. Set-aside for the 1971 wheat program will be 13.3 million acres—about equivalent to the mandatory diverted acreage for 1970. The set-aside for 1972 and 1973 may not exceed 15 million acres. After subtracting his conserving base, plus about 30 percent of his 1970 wheat allotment—an amount to be promulgated by USDA—the farmer will be allowed to plant whatever he chooses on his remaining cropland acres.

Thus, rigid wheat allotments have been eliminated in a step toward greater flexibility in farm management.

Wheat farmers may continue to substitute wheat for feed grains, and preliminary payments will be advanced to producers as soon as possible after July 1 of each year, in an amount estimated by the Secretary to be 75 percent of the value of the domestic certificate.

FEED GRAINS

The "set-aside" for feed grains, as with wheat, will be approximately equal to the mandatory diverted acreage under last year's program.

Payments may not dip below 32 cents per bushel for corn, with corresponding rates for grain sorghum and barley. Preliminary payments will be made to feed grains farmers as soon as possible after July 1 of each year. These preliminary payments will be in the amount of 32 cents per bushel. If the difference between the average market price and $1.35 per bushel for corn is more than 32 cents during the first 5 months of the marketing year, an additional payment will be made. In no event will refunds be required from farmers—should the average price actually received—plus payments—exceed $1.35 for corn, or a corresponding rate for other feed grains.

PUBLIC LAW 480

Compassionate Americans who have an appreciation of the aspirations and needs of developing nations will be gratified that this legislation extends those provisions of "Food for Peace" which authorize donations, and long-term dollar credit and foreign currency sales of U.S. farm commodities overseas.

Since this humanitarian program was initiated under President Eisenhower, over $17 billion in American agricultural commodities have been shipped to the needy overseas under its terms. Literally millions have been spared from starvation and malnutrition under its authority. With this extension of Public Law 480, the Congress has wisely decided to continue Government sales and donations of food to promote peace and stability, and to relieve suffering throughout the underdeveloped world.

OTHER PROVISIONS

The Agriculture Act of 1970 also initiates an experimental program of long-term land retirement specifically designed to help older farmers. Should an older farmer desire to retire from active farming, but continue to live on the land, this program would permit him to enter into a contract with the Government to retire his land from production for a fair annual payment. Authorized at a level of $10 million annually, the pilot program will give Congress the information it needs to analyze carefully various long-term land retirement programs that have been proposed in recent months. Should older farmers welcome this retirement program, perhaps the Congress could consider an expansion of its benefits in 1972 or 1973.

Finally, title IX of the Agriculture Act of 1970, sponsored by Senator BOB DOLE of Kansas, for the first time commits Congress to a sound program of rural-urban balance. Title IX provides for various annual reports on planning assistance, technical assistance, Government services, and utilities, and financial assistance to rural America. The title will require the Federal Government to locate new offices and facilities, insofar as practicable, in communities of lower population density.

This final title could well become the most far-reaching and significant provision in the entire package. Certainly those of us from rural America know the "long-term answer" to relief for our troubled economy is greater economic diversification and industrial expansion in rural regions.

With the commitment of title IX as "National Policy," perhaps Congress can proceed to consider a broad range of proposals designed to expand the tax base and improve opportunity in the less populated regions of the Nation.

I urge all my Colleagues to support the Agriculture Act of 1970. Rural America, no less than urban America, requires a commitment from Congress to improve human opportunity and assure an atmosphere conducive to economic development and farm prosperity in the years ahead.

Mr. OBEY. Mr. Speaker, this bill is a far cry from the kind of bill that we should be able to vote on today.

What is wrong with it was spelled out clearly in the first House debate on it by people like Mr. MELCHER and Mr. ZWACH, and many others. It had been my hope that in conference the bill could be strengthened and improved. That has happened to a small degree and because of that, it is with great reluctance that I vote for this bill today.

I vote for it not because I think it is a good bill, but rather because the one area of the bill that is fairly satisfactory is the dairy section and I represent dairy farmers to a very great degree.

I am gratified, however, that the conference substitute presented to us today, with all its obvious shortcomings, will at least include manufacturers of dairy products under the indemnity program now available to dairy farmers who are ordered to remove their milk from the market because it contains pesticide residues.

Established in 1964, the indemnity program authorizes the Secretary of Agriculture to make such payments at fair market value to farmers whose milk, through no fault of theirs, was contaminated by and condemned because of the presence of residues of DDT or other chemicals. It has saved numerous dairy farmers from bankruptcy in the past few years.

Now, by including the words "and manufacturers of dairy products," the conference substitute should make possible such indemnity payments to manufacturers whose cheese or butter have to be removed from the market because of pesticide residues. Thus, the indemnity program can be a useful safety valve for manufacturers throughout the country, for if the worst happened, and contaminated milk were used in the making of cheese or butter, these products could be removed from the market and the manufacturer would suffer a tremendous economic loss.

Mr. Speaker, last year eight members of the Wisconsin delegation and one each from Minnesota and Montana joined me in sponsoring a bill to extend the indemnity payments program to dairy manufacturers. I am pleased to note that the conference substitute achieves our purpose.

Mr. MACGREGOR. Mr. Speaker, I rise in support of the conference report to the Agricultural Act of 1970. I, like many others, am somewhat disappointed in some features of the new bill, but I also know that the members of the House Agriculture Committee have worked persistently over the last 2 years to obtain the best farm bill possible at this time.

While I favored a lower payments ceiling, the $55,000 limit passed by the House and the Senate is the first positive move in the right direction.

An important feature of the conference report is that it provides for parity of feed grains at 70 percent. My good friend and colleague, JOHN ZWACH, offered an amendment in the House to the feed grains section of the bill for 77 percent of parity. I was disappointed when the House defeated this amendment, which I supported. However, the Senate later adopted a 75 percent of parity provision for feed grains, and the conferees compromised at 70 percent.

Another key feature of the conference report is the retention of the "Zwach Dairy Amendment" to guarantee competitive access to Minnesota dairy farmers to class I base plan markets throughout the Nation.

An important provision of the conference bill for rural Minnesota was the inclusion of a rural development title which more nearly balances Federal help in rural planning with urban planning. Previously, Federal planning has emphasized urban planning at the expense of rural planning. Economic and population distribution problems require sound rural planning in conjunction with urban planning.

The final bill also makes provision for additional set-aside and public access payment for recreational purposes, which is particularly beneficial for many Minnesota farmers.

The Secretary of Agriculture has been authorized to make indemnity payments to dairy producers and processors, and to beekeepers for losses suffered from pesticides and herbicides.

I have found these and other provisions of the bill sufficiently helpful to the farmer to give the conference report my full support.

Mr. PICKLE. Mr. Speaker, tomorrow the full impact of the conference action on the agriculture bill will begin to sink in. Tomorrow, we will begin to get the predictable mixed comment, the reaction from our constituents.

Already, I have been advised that many people in my district—both urban and rural—would like to see more in this legislation. Or less, even. I can agree that this agricultural bill is not perfect. For example, one troublesome spot for me is the section which gives the Secretary of Agriculture additional powers—however, time will judge this provision.

But, Mr. Speaker, I can say that the full Agriculture Committee, the subcommittee and the conferees did, indeed, devote their full energies to this bill; this bill which will prove to be one of the most important from the 90th Congress. For more than 2 years, we have witnessed the give and take of compromise as the committee worked with the administration. Then, we noted that the conferees spent nearly a full month in an effort to reach some consensus legislation which not only would be the most acceptable—but the most passable.

This bill does present us some changes; however, the amount of Government assistance will remain at about the same level. I am not as happy with this bill as I would be if I could have been the author. But I am proud of the way the Agriculture Committee stayed with the job and gave us a workable farm bill that we can live with.

Mr. FINDLEY. Mr. Speaker, while I did not support the House version of the farm bill and do not feel the conference report represents the type advance my farmer constituents want and deserve, I nevertheless welcome this opportunity to compliment the House conferees on sustaining the House position. In fighting off virtually every attempted change emanating from the Senate, they saved the taxpayers a lot of money and kept bad legislation from getting decidedly worse.

Chairman POAGE and Representative BELCHER, who headed House conferees, negotiated effectively and resolutely. Senate provisions for cotton would have added annual costs of about $200 million to a program that is already scandalous in terms of cost.

My principal regret concerning the bill in its final form is that it represents no significant advance from where we stand agriculturally to what must be our goal for the future: an agriculture that derives its full crop income from the marketplace and its direction as to what commodities to plant from the consumers.

Mr. RANDALL. Mr. Speaker, I will vote for H.R. 18546 with strong doubts as to whether it will improve farm income.

Each Member has within his congressional district farmers of different types devoting their energies to the production of different agricultural products. For some it is cotton, for others there will be wheat, for some wool, and others dairy. Any comment I may make is concerned with the provisions for feed grains. In our district there is only a small amount of wheat, no cotton, little wool, some dairy, but a lot of feed grains.

At first blush, the provisions of the feed grains program appear to be acceptable and even attractive, in that it appears there are price support payments to participating farmers on one-half of their feed grain base, in the amount of the difference between the figure of $1.35 per bushel or 70 percent of the parity price for corn, and the average market price for the first 5 months of the marketing year. There is the provision that these payments will be no less than 32 cents per bushel for corn, with corresponding rates for grain, sorghum, and barley.

It is my understanding the final provisions of the conference report constitute a compromise between conferees favoring 68 percent of parity and those favoring 70 percent or more. Actually, the facts are the Senate provided for 75 percent of parity, and those of us who have a real and sincere concern for the income of the farmer applauded that stand. It was our hope that the conferees would agree to at least 75 percent of parity.

Repeating, let me suggest again that the provisions of the new bill as they apply to feed grains look pretty good on paper, and sound pretty good when talked about, but the important question is, are they really that good and do they really bolster farm income as much as the proponents of this bill would argue?

It is not my conclusion alone, but the conclusion of the leaders of some of our largest farm organizations, that the answer is "No" and in fact when compared to the legislation which will soon expire, the condition of some of our small feed grain farmers will actually be worse instead of better.

It is appropriate to ask the question—why under the circumstances outlined above, could a Member who has the interest of the farmer at heart support the conference report on H.R. 18546?

The answer is, this farm bill is better than no farm bill at all. Then we must answer the query—Why can't we do better? The plain, unvarnished truth is that the rural population of the agricultural areas has declined year by year to where the proponents of farm legislation just do not have the votes to pass a strong farm bill.

Moreover, the administration through its Secretary of Agriculture and through the Bureau of the Budget, sent the word to our Agriculture Committee and the committee of the other body that the administration would veto any kind of farm bill that was more expensive than a preagreed cost in terms of dollars, and even sent the word that the President would veto a farm bill which provided for advance payments.

It would seem that this threat of a veto actually amounts to an affirmation or perhaps the correct terminology is a reaffirmation of the old Benson philosophy of low farm prices. It expresses a determination on the part of the administration to keep farm prices low, in order to buoy exports and thus serve as a partial solution to the balance-of-payments problem, without any regard for the level of income of the American farmer.

It is significant to note at this time, as we vote upon the conference report, that always in the past the Secretary of Agriculture has sent up a farm bill to Capitol Hill. Neither in 1969 nor in 1970 has this happened. It was not until October of 1969 that there was even a suggestion from Secretary Hardin. Even he agreed that such a suggestion should not be regarded as a proposal. The facts of the matter are that our Agriculture Committee and the committee of the other body had to start from scratch to piece together a bill as best they could, without any proposal or help of any kind from the Secretary or anyone else in the administration. On the other hand, after our committee commenced its work on a farm bill, the Bureau of the Budget was the first to object to its expected cost, and Mr. Hardin repeated again and again that provisions for the benefit of our farmers had to be pared down or else there would be an inevitable veto. It would seem that all of those in the executive branch set as a controlling guideline, not the level of income of the farmer, but the effect that the farm bill would have on the budget. This kind of an approach is as bad as the Benson farm program, because it perpetuates low farm prices.

Those who would attempt during this political season, exactly 3 weeks away from election day, to cast blame on a Democratic Congress for the failure to pass a farm bill which would improve the lot of the farmer rather than leaving him where he is or even in a worse condition, should remember well the repeated threats of the executive veto as transmitted to the Congress by the Secretary, by the Bureau of the Budget, and others. The fact that the majority party in the Congress has barely enough votes to pass a farm bill is not the point. The real point is that rather than having the votes to fight for a strong bill, the majority must accept what would otherwise be an unacceptable bill, in recognition of the reality that it takes two-thirds of the Congress to override a Presidential veto. It becomes, then, not a matter of optimism or even pessimism, but a question of reality in the recognition that the minority party in the Congress would easily regiment all of their Members to sustain a veto and there would be no way whatsoever to hope to have enough support on the floor of either body of the Congress to override a Presidential veto.

Well, to repeat, H.R. 18546 is better than no bill at all. I hope there are some safeguards in the so-called set-aside program to avoid the death of those small rural towns that would be surrounded by vast acreages in the set-aside program. Let us hope there are enough safeguards to keep alive most of our small farm communities.

Finally, it is most regrettable that those in the Congress who have befriended the family farmer over the years must now reconcile ourselves to accepting a bill that is barely better than no bill at all. As we look back, we realize now that we should have expected something about like this to happen. The reason is that our present Chief Executive in none of his public pronouncements has expressed any concern about the level of income of the American farmer. Nowhere in our President's inaugural address was there time for the farmer. In the state of the Union message there was no time given to discussing the problems of the farmer. Not even in the so-called state of the economy message of the President was there a statement about the economic plight of our farmers. After such nonhappenings, it would not be an unreasonable conclusion to wonder whether the present administration entertains a genuine concern for the economic welfare of our American farmers.

Mr. SPRINGER. Mr. Speaker, as many Members of the House know, I am one of the five authors of Public Law 480, the Agricultural Trade Development and Assistance Act of 1954, more commonly known now as the "food-for-freedom program" and the "food-for-peace program."

I represent one of the richest agricultural areas of the world. The 22d Illinois Congressional District grows more corn and soybeans than any comparable area in the world. Our farmers have an important stake in world trade. They are distinctly aware of the fact that the food production from 1 out of every 4 acres of farmland in their congressional district goes overseas. It is difficult to name any other industry in the United States that has as much at stake in our export program as does the American farmer.

As President Johnson said more than 3 years ago:

> The Food-for-Peace Program is one of the most inspiring enterprises ever undertaken by any nation in all of history.

It is through this program famine has been prevented. It has helped alleviate hunger and malnutrition. At the same time this program has proved to be a boon to American farmers. We have shipped overseas more than $17 billion under this program in the last 16 years. There has been also a tremendous increase in exports of farm production through regular trade channels. Our total agricultural exports increased from $5 billion in 1962 to almost $8 billion in 1968.

Populations are growing and incomes are rising throughout the world. As a result, the worldwide demand for our farm products will continue to rise. I think it is a safe prediction that our agricultural exports will hit $10 billion per year in the years just ahead.

The production genius of the American farmer has not been fully appreciated in recent years. His technical achievements seemed overshadowed in the public mind by the problem of managing the surpluses his skills built up. But now the picture has changed. The burdensome surpluses in corn have vanished and the markets for the farmers' goods are rapidly expanding. In addition, this new program will open up markets that are not now available other than on a cash basis. I feel sure that many nations which are now buying surplus commodities under title I would prefer to take advantage of the extended dollar credit authorized in the long-term supply contract provisions.

The U.S. surplus disposal program is not entirely altruistic. We believe it to be just as much in the interest of the American farmer through exports to keep down accumulated stocks. In this, we hope to improve the economic position of the American farmers. I realize full well that an economically strong and progressive agriculture is vital to the United States.

The Public Law 480 program is strengthening agriculture and providing a market beyond our borders for the food surpluses of this country. It is a practical program geared to 1970. It is a program that deserves not only the commendation of the farmers of this country but the approval of every Member of this House who is genuinely interested in the future of American agriculture.

We intend to continue our goal of exporting the food production from 1 out of every 4 acres of farmland in the United States.

The success of this program did have more to do with giving the farmer a fair price in his marketplace at home than anything I can conceive of at this time. One of the strongest parts of the Agricultural Act of 1970 as passed by the House is title VII which extends title I and II of Public Law 480 and amends them in such a way as to improve the "food for freedom" and "food for peace" programs.

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

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. TEAGUE OF CALIFORNIA

Mr. TEAGUE of California. Mr. Speaker, I offer a motion to recommit.

The SPEAKER pro tempore. Is the gentleman opposed to the conference report?

Mr. TEAGUE of California. I am, Mr. Speaker.

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

The Clerk read as follows:

> Mr. TEAGUE of California moves to recommit the conference report on the bill (H.R. 18546) to the committee of conference.

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

There was no objection.

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

The motion to recommit was rejected.

The SPEAKER pro tempore. 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. KOCH. 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 191, nays 145, answered "present" 1, not voting 92, as follows:

[Roll No. 341]

YEAS—191

Abbitt	Friedel	Passman
Abernethy	Fuqua	Patten
Addabbo	Galifianakis	Pepper
Albert	Garmatz	Perkins
Alexander	Gettys	Pickle
Anderson, Ill.	Gonzalez	Poage
Anderson, Tenn.	Griffin	Podell
Andrews, Ala.	Hagan	Poff
Andrews, N. Dak.	Hall	Pollock
Annunzio	Hamilton	Preyer, N.C.
Arends	Hammer-schmidt	Price, Tex.
Belcher	Hansen, Idaho	Pryor, Ark.
Betts	Harsha	Purcell
Bevill	Hathaway	Quie
Blackburn	Hays	Quillen
Blatnik	Henderson	Randall
Boggs	Holifield	Rees
Boland	Hull	Reid, Ill.
Bow	Hungate	Riegle
Brasco	Hutchinson	Rivers
Brinkley	Ichord	Rogers, Colo.
Brotzman	Jarman	Rogers, Fla.
Brown, Ohio	Johnson, Calif.	Rooney, N.Y.
Broyhill, N.C.	Jonas	Rostenkowski
Buchanan	Jones, Ala.	Ruth
Burke, Mass.	Jones, N.C.	Schadeberg
Burleson, Tex.	Jones, Tenn.	Scherle
Burlison, Mo.	Kastenmeier	Schwengel
Burton, Calif.	Kazen	Sebelius
Byrnes, Wis.	Kleppe	Shriver
Caffery	Kluczynski	Sisk
Camp	Kuykendall	Skubitz
Carter	Kyl	Smith, Iowa
Cederberg	Landrum	Springer
Chamberlain	Langen	Stanton
Clausen, Don H.	Latta	Steed
Colmer	Lennon	Steiger, Ariz.
Culver	Long, La.	Steiger, Wis.
Cunningham	McClory	Stephens
Daniel, Va.	McClure	Stubblefield
Davis, Wis.	McFall	Stuckey
de la Garza	McMillan	Sullivan
Denney	Mahon	Symington
Dickinson	Mathias	Taylor
Dingell	Matsunaga	Teague, Tex.
Donohue	May	Thompson, Ga.
Dorn	Mayne	Thomson, Wis.
Downing	Meeds	Udall
Dulski	Melcher	Ullman
Duncan	Miller, Calif.	Vigorito
Eckhardt	Miller, Ohio	Waggonner
Edwards, Ala.	Mink	Wampler
Edwards, La.	Mize	Watson
Esch	Mizell	Watts
Evins, Tenn.	Mollohan	White
Feighan	Montgomery	Whitehurst
Flowers	Moorhead	Whitten
Flynt	Moss	Wilson, Bob
Foley	Murphy, Ill.	Wilson, Charles H.
Ford, Gerald R.	Myers	Winn
Foreman	Natcher	Wylie
Fountain	Nelsen	Young
Frelinghuysen	Obey	Zwach
	O'Neill, Mass.	

NAYS—145

Adams	Cleveland	Frey
Anderson, Calif.	Cohelan	Fulton, Pa.
Ashbrook	Collier	Gallagher
Ashley	Conable	Gaydos
Ayres	Conte	Giaimo
Baring	Corbett	Gibbons
Barrett	Coughlin	Goodling
Bell, Calif.	Crane	Gray
Bennett	Daniels, N.J.	Green, Oreg.
Biester	Delaney	Green, Pa.
Bingham	Dellenback	Grover
Brademas	Dennis	Gubser
Bray	Dent	Gude
Broomfield	Derwinski	Halpern
Brown, Calif.	Devine	Hanley
Brown, Mich.	Edwards, Calif.	Harrington
Broyhill, Va.	Eilberg	Hastings
Byrne, Pa.	Erlenborn	Hawkins
Carey	Eshleman	Hechler, W. Va.
Chappell	Fascell	Helstoski
Chisholm	Findley	Hicks
Clawson, Del	Fish	Hogan
Clay	Flood	Hosmer
	Fraser	Howard
Jacobs	Nix	Scott
Johnson, Pa.	O'Hara	Smith, Calif.
Karth	Pettis	Smith, N.Y.
Keith	Pike	Stafford
Koch	Pirnie	Staggers
Kyros	Price, Ill.	Stokes
Landgrebe	Pucinski	Teague, Calif.
Long, Md.	Railsback	Tiernan
McCarthy	Rarick	Van Deerlin
McCulloch	Reid, N.Y.	Vander Jagt
McDade	Reuss	Vanik
McDonald, Mich.	Rodino	Waldie
McEwen	Roe	Whalley
Macdonald, Mass.	Rooney, Pa.	Widnall
Madden	Roth	Wiggins
Martin	Roybal	Williams
Mikva	Ryan	Wolff
Minish	St Germain	Wyatt
Minshall	Satterfield	Wydler
Monagan	Sandman	Wyman
Morgan	Saylor	Yates
Morse	Scheuer	Yatron
Morton	Schmitz	Zablocki
Mosher	Schneebeli	Zion
	Shipley	
	Slack	

ANSWERED "PRESENT"—1

Rosenthal

NOT VOTING—92

Adair	Fallon	Michel
Aspinall	Farbstein	Mills
Beall, Md.	Fisher	Murphy, N.Y.
Berry	Ford, William D.	Nedzi
Biaggi	Fulton, Tenn.	Nichols
Blanton	Gilbert	O'Konski
Bolling	Goldwater	Olsen
Brock	Griffiths	O'Neal, Ga.
Brooks	Gross	Ottinger
Burke, Fla.	Haley	Patman
Burton, Utah	Hanna	Pelly
Bush	Hansen, Wash.	Philbin
Button	Harvey	Powell
Cabell	Hébert	Reifel
Casey	Heckler, Mass.	Rhodes
Celler	Horton	Roberts
Clancy	Hunt	Robison
Clark	Kee	Roudebush
Collins	King	Rousselot
Conyers	Leggett	Ruppe
Corman	Lloyd	Sikes
Cowger	Lowenstein	Snyder
Cramer	Lujan	Stratton
Daddario	Lukens	Taft
Davis, Ga.	McCloskey	Talcott
Dawson	McKneally	Thompson, N.J.
Diggs	MacGregor	Tunney
Dowdy	Mailliard	Weicker
Dwyer	Marsh	Whalen
Edmondson	Meskill	Wold
Evans, Colo.		Wright

So the conference report was agreed to.

The Clerk announced the following pairs:

On this vote:

Mr. Olsen for, with Mr. Rosenthal against.

Mr. Thompson of New Jersey for, with Mr. Biaggi against.

Mr. Blanton for, with Mr. Leggett against.

Mr. Nichols for, with Mr. Hanna against.

Mr. Hébert for, with Mr. Clark against.

Mr. Cabell for, with Mr. Marsh against.

Mr. Fisher for, with Mr. Farbstein against.

Mr. Brooks for, with Mr. Corman against.

Mr. Edmondson for, with Mr. William D. Ford against.

Mr. Fulton of Tennessee for, with Mr. Gilbert against.

Mr. Davis of Georgia for, with Mr. Kee against.

Mr. Roberts for, with Mr. Lowenstein against.

Mr. Sikes for, with Mr. Conyers against.

Mr. Wright for, with Mr. Adair against.

Mr. Fallon for, with Mr. Button against.

Mr. MacGregor for, with Mr. Hunt against.

Mr. Wold for, with Mr. King against.

Mr. Rhodes for, with Mr. Horton against.

Mr. Lloyd for, with Mr. Clancy against.

Mr. Lujan for, with Mr. Cowger against.

Mr. Michel for, with Mrs. Dwyer against.

Mr. Snyder for, with Mr. Goldwater against.

Mr. McKneally for, with Mrs. Heckler of Massachusetts against.

Mr. Ruppe for, with Mr. Robison against.

Mr. Bush for, with Mr. Whalen against.

Mr. Brock for, with Mr. Talcott against.

Mr. McCloskey for, with Mr. Beall of Maryland against.

Mr. Burton of Utah for, with Mr. Harvey against.

Mr. Pelly for, with Mr. Burke of Florida against.

Mr. Reifel for, with Mr. Rousselot against.

Mr. Tunney for, with Mr. Powell against.

Mr. Aspinall for, with Mr. Nedzi against.

Mr. Casey for, with Mr. Diggs against.

Mr. Celler for, with Mr. Dawson against.

Mr. Evans of Colorado for, with Mr. Ottinger against.

Until further notice:

Mrs. Griffiths with Mr. Mailliard.

Mr. O'Neal of Georgia with Mr. Berry.

Mr. Murphy of New York with Mr. O'Konski.

Mr. Mills with Mr. Gross.

Mr. Daddario with Mr. Meskill.

Mr. Davis of Georgia with Mr. Lukens.

Mr. Patman with Mr. Collins.

Mr. Haley with Mr. Cramer.

Mr. Dowdy with Mr. Roudebush.

Mr. Stratton with Mr. Taft.

Mrs. Hansen of Washington with Mr. Weicker.

Messrs. TIERNAN, BYRNE of Pennsylvania, ANDERSON of California, and RAILSBACK changed their votes from "yea" to "nay."

Mr. ROSENTHAL. Mr. Speaker, I have a live pair with the gentleman from Montana (Mr. OLSEN). If he had been present, he would have voted "yea." I voted "nay." I withdraw my vote and vote "present."

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

Mr. POAGE. Mr. Speaker, I ask unanimous consent that all Members have 5 calendar days in which to revise and extend their remarks on the conference report just adopted.

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

There was no objection.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 774. Concurrent resolution providing for an adjournment of the two Houses from October 14, 1970, to November 16, 1970; and

H. Con. Res. 778. Concurrent resolution directing the Clerk of the House of Representatives to make corrections in the enrollment of H.R. 17654.

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

H. Con. Res. 775. Concurrent resolution authorizing the Speaker of the House and the President of the Senate to sign enrolled bills and joint resolutions notwithstanding the adjournment of Congress from October 14, to November 16, 1970.

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

H.R. 18260. An act to authorize the U.S. Secretary of Health, Education, and Welfare to establish educational programs to encourage understanding of policies and support of activities designed to preserve and enhance environmental quality and maintain ecological balance.

The message also announced that the Senate disagrees to the amendment of the House to the bill (S. 2224) entitled "An act to amend the Investment Company Act of 1940 and the Investment Advisers Act of 1940 to define the equitable standards governing relationships between investment companies and their investment advisers and principal underwriters, and for other purposes," agrees to a conference asked by the House on the disagreeing votes of the two Houses thereon, and appoints Mr. SPARKMAN, Mr. PROXMIRE, Mr. WILLIAMS of New Jersey, Mr. MCINTYRE, Mr. BENNETT, Mr. TOWER, and Mr. PACKWOOD to be the conferees on the part of the Senate.

PROVIDING FOR CONSIDERATION OF H.R. 19519, THE COMPREHENSIVE MANPOWER ACT

Mr. COLMER, from the Committee on Rules, reported the following privileged resolution (H. Res. 1252, Rept. No. 91–1602), which was referred to the House Calendar and ordered to be printed:

H. RES. 1252

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 19519) to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability, and for other purposes, and all points of order against sections 502, 515, and 522 of said bill are hereby waived. After general debate, which shall be confined to the bill and shall continue not to exceed two hours, to be equally divided and controlled by the chairman and ranking minority member of the Committee on Education and Labor, the bill shall be read for amendment under the five-minute rule by titles instead of by sections. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit.

CONFERENCE REPORT ON H.R. 18583, COMPREHENSIVE DRUG ABUSE PREVENTION AND CONTROL ACT OF 1970

Mr. STAGGERS submitted the following conference report and statement on the 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:

CONFERENCE REPORT (H. REPT. 91–1603)

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the 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, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 20.

That the House recede from its disagreement to the amendments of the Senate numbered 2 and 21, and agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, 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—REHABILITATION PROGRAMS RELATING TO DRUG ABUSE

"PROGRAMS UNDER COMMUNITY MENTAL HEALTH CENTERS ACT RELATING TO DRUG ABUSE

"SECTION 1. (a) Part D of the Community Mental Health Centers Act is amended as follows:

"(1) Sections 251, 252, and 253 of such part (42 U.S.C. 2688k, 2688l, and 2688m) are each amended by inserting 'and other persons with drug abuse and drug dependence problems' immediately after 'narcotic addicts' each place those words appear in those sections.

"(2) Clauses (A) and (C) of section 252 of such part are each amended by inserting ', drug abuse, and drug dependence' immediately after 'narcotic addiction'.

"(3) The heading for such part is amended to read as follows:

"'PART D—NARCOTIC ADDICTION, DRUG ABUSE, AND DRUG DEPENDENCE PREVENTION AND REHABILITATION'

"(b) Part E of such Act is amended as follows:

"(1) Section 261(a) of such part (42 U.S.C. 2688o) is amended by striking out '$30,000,000 for the fiscal year ending June 30, 1971, $35,000,000 for the fiscal year ending June 30, 1972, and $40,000,000 for the fiscal year ending June 30, 1973' and inserting in lieu thereof '$40,000,000 for the fiscal year ending June 30, 1971, $60,000,000 for the fiscal year ending June 30, 1972, and $80,000,000 for the fiscal year ending June 30, 1973'.

"(2) Section 261(a) of such part is further amended by inserting ', drug abuse, and drug dependence' immediately after 'narcotic addiction'.

"(3) Sections 261(c) and 264 are each amended by inserting 'and other persons with drug abuse and drug dependence problems' immediately after 'narcotic addicts'.

"(4) The section headings for sections 261 and 263 are each amended by striking out 'AND NARCOTIC ADDICTS' and inserting in lieu thereof ', NARCOTIC ADDICTS, AND OTHER PERSONS WITH DRUG ABUSE AND DRUG DEPENDENCE PROBLEMS'.

"(c) Part D of such Act is further amended by redesignating sections 253 and 254 as sections 254 and 255, respectively, and by adding after section 252 the following new section:

"'DRUG ABUSE EDUCATION

"'SEC. 253. (a) The Secretary is authorized to make grants to States and political subdivisions thereof and to public or nonprofit private agencies and organizations, and to enter into contracts with other private agencies and organizations, for—

"'(1) the collection, preparation, and dissemination of educational materials dealing with the use and abuse of drugs and the prevention of drug abuse, and

"'(2) the development and evaluation of programs of drug abuse education directed at the general public, school-age children, and special high-risk groups.

"'(b) The Secretary, acting through the National Institute of Mental Health, shall (1) serve as a focal point for the collection and dissemination of information related to drug abuse; (2) collect, prepare, and disseminate materials (including films and other educational devices) dealing with the abuse of drugs and the prevention of drug abuse; (3) provide for the preparation, production, and conduct of programs of public education (including those using films and other educational devices); (4) train professional and other persons to organize and participate in programs of public education in relation to drug abuse; (5) coordinate activities carried on by such departments, agencies, and instrumentalities of the Federal Government as he shall designate with respect to health education aspects of drug abuse; (6) provide technical assistance to State and local health and educational agencies with respect to the establishment and implementation of programs and procedures for public education on drug abuse; and (7) undertake other activities essential to a national program for drug abuse education.

"'(c) The Secretary, acting through the National Institute of Mental Health, is authorized to develop and conduct workshops, institutes, and other activities for the training of professional and other personnel to work in the area of drug abuse education.

"'(d) To carry out the purposes of this section, there are authorized to be appropriated $3,000,000 for the fiscal year ending June 30, 1971, $12,000,000 for the fiscal year ending June 30, 1972, and $14,000,000 for the fiscal year ending June 30, 1973.'

"(d) Such part D is further amended by adding at the end thereof the following new section:

"'SPECIAL PROJECTS FOR NARCOTIC ADDICTS AND DRUG DEPENDENT PERSONS

"'SEC. 256. (a) The Secretary is authorized to make grants to public or nonprofit private agencies and organizations to cover a portion of the costs of programs for treatment and rehabilitation of narcotic addicts or drug dependent persons which include one or more of the following: (1) Detoxification services, or (2) institutional services (including medical, psychological, educational, or counseling services) or (3) community-based aftercare services.

"'(b) Grants under this section for the costs of any treatment and rehabilitation program—

"'(1) may be made only for the period beginning with the first day of the first month for which such a grant is made and ending with the close of eight years after such first day; and

"'(2)(A) except as provided in subparagraph (B), may not exceed 80 per centum of such costs for each of the first two years after such first day, 75 per centum of such costs for the third year after such first day, 60 per centum of such costs for the fourth year after such first day, 45 per centum of such costs for the fifth year after such first day, and 30 per centum of such costs for each of the next three years after such first day; and

"'(B) In the case of any such program providing services for persons in an area designated by the Secretary as an urban or rural poverty area, such grants may not exceed 90 per centum of such costs for each of the first two years after such first day, 80 per centum of such costs for the third year

after such first day, 75 per centum of such costs for the fourth and fifth years after such first day, and 70 per centum of such costs for each of the next three years after such first day.

"'(c) No application for a grant authorized by this section shall be approved by the Secretary unless such application is forwarded through the State agency responsible for administering the plan submitted pursuant to section 204 of this Act or, if there be a separate State agency, designated by the Governor as responsible for planning, coordinating, and executing the State's efforts in the treatment and rehabilitation of narcotic addicts and drug dependent persons, through such latter agency, which shall submit to the Secretary such comments as it deems appropriate. No application for a grant under this section for a program to provide services for persons in an area in which is located a facility constructed as a new facility after the date of enactment of this section with funds provided under a grant under part A or this part shall be approved unless such application contains satisfactory assurance that, to the extent feasible, such program will be included as part of the programs conducted in or through such facility.

"'(d) The Secretary shall make grants under this section for projects within the States in accordance with criteria determined by him designed to provide priority for grant applications in States, and in areas within the States, having the higher percentages of population who are narcotic addicts or drug dependent persons.

"'(e) There are authorized to be appropriated to carry out this section not to exceed $20,000,000 for the fiscal year ending June 30, 1971; $30,000,000 for the fiscal year ending June 30, 1972; and $35,000,000 for the fiscal year ending June 30, 1973.'

"BROADER TREATMENT AUTHORITY IN PUBLIC HEALTH SERVICE HOSPITALS FOR PERSONS WITH DRUG ABUSE AND OTHER DRUG DEPENDENCE PROBLEMS

"SEC. 2. (a) Part E of title III of the Public Health Service Act is amended as follows:

"(1) Section 341(a) of such part is amended by adding immediately after 'addicts' the second time it appears the following: 'and other persons with drug abuse and drug dependence problems'.

"(2)(A) Sections 342, 343, 344, and 346 of such part are each amended by inserting 'or other persons with drug abuse and drug dependence problems' immediately after 'addicts' each place it appears in those sections.

"(B) The section heading of section 342 of such part is amended by inserting 'OR OTHER PERSONS WITH DRUG ABUSE AND DRUG DEPENDENCE PROBLEMS' after 'ADDICTS'.

"(3) Sections 343 and 344 of such part are each amended by inserting 'or other person with a drug abuse or other drug dependence problem' immediately after 'addict' each place it appears in those sections.

"(4) Sections 343, 344, and 347 of such part are each amended by inserting ', drug abuse, or drug dependence' immediately after 'addiction' each place it appears in those sections.

"(5) Section 346 of such part is amended by inserting 'or substance controlled under the Controlled Substances Act' immediately after 'habit-forming narcotic drug'.

"(6) The heading for such part is amended to read as follows:

"'PART E—NARCOTIC ADDICTS AND OTHER DRUG ABUSERS'

"(b) Section 2 of the Public Health Service Act (42 U.S.C. 201) is amended by adding after paragraph (p) the following new paragraph:

"'(q) The term "drug dependent person" means a person who is using a controlled substance (as defined in section 102 of the Controlled Substances Act) and who is in a state of psychic or physical dependence, or both, arising from the use of that substance on a continuous basis. Drug dependence is characterized by behavioral and other responses which include a strong compulsion to take the substance on a continuous basis in order to experience its psychic effects or to avoid the discomfort caused by its absence.'

"RESEARCH UNDER THE PUBLIC HEALTH SERVICE ACT IN DRUG USE, ABUSE, AND ADDICTION

"SEC. 3. (a) Section 303(a) of the Public Health Service Act (42 U.S.C. 242a(a)) is amended by adding after and below paragraph (2) the following.

"'The Secretary may authorize persons engaged in research on the use and effect of drugs to protect the privacy of individuals who are the subject of such research by withholding from all persons not connected with the conduct of such research the names or other identifying characteristics of such individuals. Persons so authorized to protect the privacy of such individuals may not be compelled in any Federal, State, or local civil, criminal, administrative, legislative, or other proceedings to identify such individuals.'

"(b) Section 314(d)(2) of the Public Health Service Act is amended—

"(1) by striking out "and" at the end of subparagraph (I);

"(2) by striking out the period at the end of subparagraph (J) and inserting in lieu thereof "; and"; and

"(3) by adding after subparagraph (J) the following new subparagraph:

"'(K) provide for services for the prevention and treatment of drug abuse and drug dependence, commensurate with the extent of the problem.'

"(c) Section 507 of The Public Health Service Act (42 U.S.C. 225a) is amended.

"(1) by striking out 'available for research, training, or demonstration project grants pursuant to this Act' and inserting in lieu thereof 'available under this Act for research, training, or demonstration project grants or for grants to expand existing treatment and research programs and facilities for alcoholism, narcotic addiction, drug abuse, and drug dependence, and appropriations available under the Community Mental Health Centers Act for construction and staffing of community mental health centers and alcoholism and narcotic addiction, drug abuse, and drug dependence facilities', and

"(2) by inserting immediately before the period at the end thereof the following: ', except that grants to such Federal institutions may be funded at 100 per centum of the costs'.

"MEDICAL TREATMENT OF NARCOTIC ADDICTION

"SEC. 4. The Secretary of Health, Education, and Welfare, after consultation with the Attorney General and with national organizations representative of persons with knowledge and experience in the treatment of narcotic addicts, shall determine the appropriate methods of professional practice in the medical treatment of the narcotic addiction of various classes of narcotic addicts, and shall report thereon from time to time to the Congress."

And the Senate agree to the same.

Amendment numbered 4: That the House recede from its disagreement to the amendment of the Senate numbered 4, 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:

"(c) Unless specifically excepted or unless listed in another schedule, any injectable liquid which contains any quantity of methamphetamine, including its salts, isomers, and salts of isomers."

And the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the Amendment of the Senate numbered 5, and agree to the same with an amendment, as follows: Restore the matter stricken out by the Senate amendment with the following amendment: On page 36, line 12, of the House engrossed bill insert "(except an injectable liquid)" after "substance".

And the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19 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:

"(4) Notwithstanding paragraph (1)(B) of this subsection, any person who violates subsection (a) of this section by distributing a small amount of marihuana for no remuneration shall be treated as provided in subsections (a) and (b) of section 404."

And the Senate agree to the same.

HARLEY O. STAGGERS,
JOHN JARMAN,
PAUL G. ROGERS,
DAVID E. SATTERFIELD III,
W. L. SPRINGER,
ANCHER NELSEN,
TIM LEE CARTER,
Managers on the Part of the House.

HAROLD E. HUGHES,
RALPH W. YARBOROUGH,
JENNINGS RANDOLPH,
JAS. O. EASTLAND,
JOHN L. MCCLELLAN,
SAM J. ERVIN, Jr.,
THOMAS J. DODD,
JACOB K. JAVITS,
PETER H. DOMINICK,
ROMAN HRUSKA,
STROM THURMOND,
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 amendments of the Senate to the 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, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The following Senate amendments made technical, clerical, clarifying, and conforming changes: 1, 2, 6, 7, 8, 10, 11, 12, 13, 14, 15, 16, 17, 18, and 20. With respect to these amendments the Senate recedes in order to conform to other action agreed upon by the committee of conference.

Amendment No. 3: The Senate amendment struck out title I of the House passed bill, relating to programs under the Community Mental Health Centers Act, treatment authority in Federal hospitals for drug dependent persons, research under the Public Health Service Act, and medical treatment of narcotic addiction. The Senate amendment substituted for the provisions of title I of the House bill a new program establishing a National Institute for the Prevention and Treatment of Drug Abuse and Drug Dependence, to administer planning, coordination, statistics, research, training, educational, and reporting functions with respect to drug abuse and drug dependence. The amendment would have established programs relating to drug abuse and drug dependence among Federal employees, would have established a program of formula grants and project grants for the States on drug abuse and

drug dependence problems; would have established a National Advisory Council, and an Intergovernment Coordinating Council, on drug abuse and drug dependence, and proposed continuation of the programs set forth in the House-passed title I.

The House-passed title I authorized a total of $164 million in new appropriations, and the Senate amendment authorized a total of $190 million in new appropriations.

With respect to this amendment, the managers on the part of the House receded with an amendment, restoring the features of the House-passed title I, but with appropriation authorizations totalling $189 million; requiring the inclusion in State public health comprehensive plans of programs to deal with drug abuse and drug dependence, and increasing the authorization for and scope of project grants for narcotic addicts and drug dependent persons.

There has recently been established in the National Institute of Mental Health a division charged with the responsibility for administering all programs of the National Institute of Mental Health dealing with drug abuse and drug dependence problems. The managers on the part of the House wish to emphasize their concern that this new division be adequately staffed and funded to meet its growing responsibilities in the field of drug abuse and drug dependence. As is stated in the report of the Committee to the House (House Report 91–1444, page 6) "drug abuse in the United States is a problem of ever-increasing concern, and appears to be approaching epidemic proportions". Strong leadership is necessary to deal with the rehabilitative and prevention aspects of this problem, and the managers on the part of the House feel that this division needs to be aggressive in its action and innovative in its approaches.

A number of new concepts were presented in the Senate amendment, and the managers on the part of the House felt that, although hearings had been held before the Senate Committee on Labor and Public Welfare on this subject, it was desirable that hearings be held on the House side to explore the many ramifications of this problem. It is intended by the House managers that hearings will be held on legislation in this area during the next Congress.

The substitute agreed to also incorporates provisions contained in the Senate amendment providing for the inclusion in State comprehensive health plans of provision for services for the prevention and treatment of drug abuse and drug dependence commensurate with the extent of the problem.

The Senate amendment would have established a program of project grants with authorizations totalling $135 million for programs for prevention and treatment of drug abuse and drug dependence, including educational projects and services. The House bill authorized $29 million for educational programs, and a total of $60 million for special project grants, in this area.

The conference agreement authorizes $29 million in funds for drug abuse education programs, with $4 million of the funds authorized for fiscal year 1971 transferred to fiscal years 1972 and 1973. It also authorizes an expanded program of special projects for drug dependent persons at a total authorization of $85 million over three years. This program contains a requirement that where programs of limited scope are established under the amendment and new facilities serving the same area are constructed hereafter, to the extent feasible the programs established hereunder will be consolidated with the programs of the newly constructed facilities.

The reference to a facility "*newly* constructed" after the enactment of section 256 of the Community Mental Health Centers Act (added by this title of the bill) is intended not only to exclude facilities constructed before the enactment of the section but also to make clear that, notwithstanding the definition of "construction" in section 401(e) of the Mental Retardation Facility and Community Mental Health Centers Act of 1963 (42 U.S.C. 2691(e)), the requirement does not apply with respect to a structure existing before such enactment merely because of its having been acquired, expanded, remodeled, or altered after enactment with the aid of a grant under part A or part D of such Act.

The Senate amendment would also have listed as the types of services which could be provided under programs set forth in the bill intermediate care services, outpatient services, and prevention, treatment, and rehabilitation services (including but not limited to telephone counselling and information services, informal, open-admission facilities for support, guidance, referral, and other facilities) for drug dependent persons, primarily organized and operated by persons from similar social, cultural, and age backgrounds as the person served, in community based and easily accessible facilities. The managers on the part of the House felt that the existing authority of community mental health centers, and the program for narcotic addicts and drug dependent persons contained in the House-passed bill, are broad enough in their scope to include programs such as those referred to above.

Amendments Nos. 4 and 5: These amendments proposed to transfer all amphetamines, phenmetrazine, and methylphenidate from schedule III to schedule II, thereby imposing stricter requirements for licensing of manufacturers, quota requirements, order forms, and other tighter controls, together with restrictions on the refilling of prescriptions, on these drugs.

The conference substitute limits this transfer to schedule II to liquid injectable methamphetamine, widely referred to as "speed". The legislation contains authority for the Attorney General to transfer drugs between schedules, upon making the appropriate findings and following the procedures prescribed in the legislation. It is the understanding of the managers that proceedings will be initiated involving a number of drugs containing amphetamines after the legislation has become law, but exceptions will be made for a number of amphetamine-containing drugs.

Amendment No. 9: The Senate amendment proposed to insert in schedule IV the following drugs: Chlordiazepoxide and Diazepam. Administrative proceedings for the control of these drugs were initiated in 1966, and final administrative action is scheduled to be taken within a matter of weeks. Section 702(c) of the bill provides that, if, upon the completion of these proceedings (including judicial review), these drugs are listed for control, they shall automatically be included within the coverage of the bill and placed in the appropriate schedule.

With respect to this amendment, the Senate recedes.

Amendment No. 19: This amendment provided that any person who distributed a small amount of marihuana for no remuneration should be subject to the penalties provided for simple possession of marihuana for personal use. The managers on the part of the House receded with a clarifying amendment.

Amendment No. 21: This amendment provides that not later than March 31 of each calendar year the Secretary of Health, Education, and Welfare shall submit to the Committee on Labor and Public Welfare of the Senate and the Committee on Interstate and Foreign Commerce of the House a report on the activities of advisory councils established or organized pursuant to the Public Health Service Act, or the Mental Retardation Facilities and Community Mental Health Centers Construction Act of 1963.

With respect to this amendment, the House recedes.

HARLEY O. STAGGERS,
JOHN JARMAN,
PAUL G. ROGERS,
DAVID E. SATTERFIELD III,
W. L. SPRINGER,
ANCHER NELSEN,
TIM LEE CARTER,
Managers on the Part of the House.

CONFERENCE REPORT ON H.R. 11833, RESOURCE RECOVERY ACT OF 1970

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the bill (H.R. 11833) to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such act, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of Oct. 7, 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, this legislation passed the House on June 23, 1970, by a vote of 377 to 0. The Members of the House will be glad to learn that the Members of the other body have already agreed to accept four of the most important features of the Resource Recovery Act of 1960, as passed by the House.

First, the program will be limited to a 3-year period—fiscal years 1971, 1972, and 1973—instead of a 4-year period as called for in the bill originally passed by the other body. This shorter period will give the Congress an opportunity to review the program after it has been operating for about 2 years before deciding whether it should be extended in its present form or modified in some respects.

Second, the other body accepted the appropriation authorizations provided for in the House bill for fiscals 1972 and 1973, but agreement was reached to cut appropriations for fiscal year 1971 by 50 percent. This is justified in view of the fact that only approximately 6 months are still left of the present fiscal year, and therefore, few if any funds are likely to be needed to pay for major construction projects that would be authorized by this legislation.

Third, the other body agreed to authorize construction grants for new or improved solid waste disposal facilities. Such projects must advance the state of the art by applying new and improved techniques designed to reduced the environmental impact of solid waste disposal, to achieve recovery of energy or resources or to recycle useful materials. The projects would be carried out in communities of varying sizes in order to assure that the state of the art be developed so as to solve community waste problems of urban-industrial centers, metropolitan regions as well as rural areas, under representative geographic and environmental conditions.

Fourth, the bill agreed to by the conferees would retain the present authority of the Secretary of the Interior with regard to solid waste disposal research related to fossil fuels and minerals as was provided in the House bill. The bill as passed by the other body would have eliminated this separate authority and placed responsibility for all solid waste activities in the Secretary of Health, Education, and Welfare.

The House conferees have agreed to accept provisions which were contained in the bill as passed by the other body and which provide for the following:

Demonstration grants for resource recovery systems,

Grants for training of personnel,

A national disposal sites study, and

The creation of a temporary National Commission on Materials Policy.

I firmly believe that the bill agreed to by the conferees constitutes an improvement over the bills passed by the two bodies, and I urge Members of the House to approve the conference report. In so doing we shall take an important step in advancing the handling of solid waste in this country. The increasing amounts of solid waste present difficult problems for our citizens throughout the country regardless of the size of the communities in which they live. These problems must be tackled energetically and the legislation before us will make this possible.

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

Mr. SPRINGER. Mr. Speaker, this is what would be known in better parlance as the Solid Waste Disposal Act of 1970. It was debated at great length on the floor as to how we would go about handling solid wastes of all kinds. I will admit that most of this problem occurs in the cities. I am talking about the towns of 20,000 to 25,000 on up to those with millions of people. I do not mean that it is of no importance in communities of less than that, because I think we will be able to adapt some of these recycling devices which we are experimenting with now for use in communities of all sizes. However, it is in the larger cities that we are having the most argument on how to cope with this problem.

I believe that we made what I deem to be a fair compromise with the Senate. This is substantially the House bill. We did keep the emphasis on improvement. In other words, if a grant is made, then that amount of money must be spent in an effort to improve a technique already in existence. We have not yet reached the point where we are making grants to communities to follow on with what somebody else has done but are still in the experimental stage of making grants in order to improve systems. We are not making grants to copy systems already in existence.

Mr. Speaker, we made only one change in this whole effort. The change was that if there is a grant made to improve an existing system, then they could install the existing system if they had an effort made also to improve on that system and make it show that through that effort it would be done.

The authorization is $48.25 million less than it was when it left the House.

I believe we made a good compromise with the Senate. I believe this is a good conference report and ought to be approved.

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

Mr. SPRINGER. I will be glad to yield to the gentleman from Missouri.

Mr. HALL. Mr. Speaker, I wanted to ask the distinguished gentleman, my colleague from Illinois, if he can confirm the statement that in this conference report there is no delegation of the powers of the Congress and that anything added by the other body is germane? The gentleman has already confirmed the fact that there is no increase in cost. In fact, there is a decrease.

Mr. SPRINGER. The gentleman is correct. There is no extraneous matter in this conference report.

Mr. STAGGERS. Mr. Speaker, I yield 3 minutes to the gentleman from Florida (Mr. ROGERS).

Mr. ROGERS of Florida. Mr. Speaker, I rise to urge the House to adopt the conference report on H.R. 11813, the Solid Waste Disposal Act.

All too little attention has been given to the problem of land misuse and the resulting spoilage of our environment because of the mismanaged and obsolete disposal of our solid waste.

Despite the enormous amount of solid waste we annually produce, we have been overlooking the eventual consequences that will result if we do not halt the present practice of dumping our garbage and other wastes in dumps and other such areas.

In H.R. 11813 I think we have preserved the main points in the House bill. We give the main thrust of the legislation to finding new and innovative methods of disposing of our solid waste and at the same time put this theory, if sound, to practical use through construction grants to the States and municipalities.

I think that this bill will prove to be the first step of significance in bringing into control the mountains of waste which we, as an affluent, user-Nation are producing. Of course the main object is to produce some type of recycling which will allow us to become more complete users and thus eliminate waste altogether.

I hope that my colleagues will join with me and the committee in voting for passage of the conference report with the same enthusiasm as when this House passed the original bill.

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.

CONFERENCE REPORT ON S. 2846, DEVELOPMENTAL DISABILITIES

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the bill (S. 2846) to assist the States in developing a plan for the provision of comprehensive services to persons affected by mental retardation and other developmental disabilities originatiing in childhood, to assist the States in the provision of such services in accordance with such plan, to assist in the construction of facilities to provide the services needed to carry out such plan, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 8, 1970.)

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

Mr. Speaker, the conference report presently before the House is a continuation and expansion of the program initially established in 1963 of grants for the construction and staffing of facilities designed to deal on a broad basis with the serious problem of mental retardation.

The 1963 legislation provided for the establishment of three types of facilities; regional research facilities, university affiliated facilities, and State and local facilities. A number of regional facilities have been constructed, or are in the process of being constructed for broad scale research into the causes and treatment of mental retardation. In addition, a number of university affiliated facilities have been constructed, or are under construction, to provide for the training of researchers, and of persons to work with the retarded. The third program involves construction of facilities for the care of the mentally retarded, and in 1965 this program was expanded to include grants for the staffing of this latter type of facilities.

At the time the 1963 legislation was passed, it was understood that research and training grants through the National Institutes of Health, would provide substantial funding for the staffing and operation of the regional research facilities and the university affiliated facilities.

The bill we are presently considering will continue and expand this 1963 program so as to provide assistance for facilities and programs designed to serve the needs of persons having disabilities requiring treatment similar to that required for the mentally retarded. The program will hereafter cover persons suffering from developmental disabilities which, in addition to mental retarda-

tion, can include cerebral palsy, epilepsy, or other types of neurological handicapping conditions.

The Senate bill authorized for this program a total of $375 million over a 3-year period. The House bill provided a total of $250 million, and the conference substitute authorizes $295 million for this purpose.

Under the conference agreement, these sums are allocated to the States according to a formula based upon their population, need, and need for facilities. The available funds can be used for construction, with Federal matching grants up to two-thirds of the cost, except in poverty areas, where the matching can be up to 90 percent. In the case of services for the developmentally disabled, the conference agreement provides Federal matching on a declining basis, with 75 percent being available for two fiscal years, declining to 70 percent for the third year, except in the case of poverty areas, where the Federal matching for projects may be up to 90 percent for 2 years, and 80 percent for the third year. We expect to take another look at this program in 3 years to determine what future modifications may be required in this formula.

Both bills, and the conference agreement, provide for continuation of the authorization for the program of matching grants for construction of university affiliated facilities, and the House version of the legislation providing authority for grants for demonstration and training facilities was accepted by the conferees, including the priority set out in the House bill for programs at facilities which are operated by or in conjunction with a college or junior college.

Mr. Speaker, the conferees were unanimous in agreeing to the conference report presently before the House, and we recommend its adoption.

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

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

Mr. SPRINGER. This has to do, may I say to my colleagues in its irreducible form, to the Mental Retardation Act. However, we use the words "Developmental Disabilities Services and Facilities Construction Amendments of 1970." This is simply an extension and improvement upon the Mental Retardation Act which we have passed in recent years.

Now, some of you have had occasion in your community to know about the operation of this program, and you know what is accomplished by having a mental retardation center in your community.

Four weeks ago last Sunday I dedicated one of these facilities in Cairo, Ill., and 2 weeks ago Saturday I dedicated one in Charleston, Ill., the site of Eastern Illinois University.

Mr. Speaker, unless one actually sees a mental retardation center in action, it is impossible to convey to others what is going on there. These are usually modern facilities. I would not say they have anything fancy about them, but they are doing a job in the communities in which they are located.

May I say to my colleagues who have in mind locating something like this in your own community, the Federal share is substantial. The Federal share is two-thirds on construction and if it happens to be a poverty area it is 90 percent.

On other projects for staffing it is 75, 75, and 70 percent over a 3-year period. In the poverty areas it is 90, 90, and 90 percent. So we have taken into consideration those communities which we feel are better able to help provide these facilities than in poverty areas where we realize it is almost impossible to obtain local assistance.

Now, may I come to the funding, and this is one where we split with the Senate, but I think the House came out very well.

The authorization as finally approved is $45 million more than the House figure, but it is $80 million less than the Senate figure. So if you want to calculate the difference between the House and the Senate those are the exact figures. I believe we made a good compromise. Every single one of these issues was discussed at great length so that there was no misunderstanding about the future of the program or the needs of the program, and I believe the conference report ought to be approved.

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

Mr. ROGERS of Florida. Mr. Speaker, I thank the gentleman for yielding.

Mr. Speaker, I urge the adoption also of this conference report.

Mr. ROGERS of Florida. Mr. Speaker, for the major part of this decade, since President Kennedy first proposed the original program, the Congress has kept pace with its responsibility to those of our citizens who have suffered from a mental retardation.

The House Subcommittee on Public Health has, in renewing and extending this legislation, S. 2846, expanded the coverage to others who are suffering from developmental disabilities originating in childhood. This includes such disabilities as epilepsy, cerebral palsy, and other neurological disorders which now afflict between 8.5 and 10 million Americans.

Those who are eligible for help under this program are so because of the similarity of treatment which is needed.

This legislation which I had the honor of sponsoring in the House provides construction moneys and for staffing and services.

We are encouraging the States to develop and implement a comprehensive and continuing plan for meeting the current and future needs for services to these people with disabilities.

If we adopt this program and expand it to include others who are now in need, I think we will continue to meet our responsibility to helping our less fortunate citizens. I urge the adoption of the conference report.

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.

CONFERENCE REPORT ON H.R. 17570, REGIONAL MEDICAL PROGRAMS AND COMPREHENSIVE HEALTH PLANNING AND SERVICES ACT OF 1970

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the bill (H.R. 17570) to amend title IX of the Public Health Service Act so as to extend and improve the existing program relating to education, research, training, and demonstrations in the fields of heart disease, cancer, stroke, and other related diseases, 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 (Mr. HAYS). 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 Oct 8, 1970.)

Mr. STAGGERS (during the reading). Mr. Speaker, I ask unanimous consent that the further reading of the statement be dispensed with.

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

There was no objection.

Mr. STAGGERS. Mr. Speaker, the conference report before the House today is, in form, the Senate amendments to one bill of the House, but in substance it includes the provisions of three measures already passed, H.R. 17570—regional medical programs; H.R. 18110—comprehensive health planning and H.R. 15961—licensing of biological products.

The bill on which this conference report is filed, as passed by the House, provided a 3-year extension of the heart, stroke, and cancer program, generally known as regional medical programs. The House bill expanded the program to include kidney disease whereas the Senate version would have included other major diseases and conditions. The conference substitute is the same as the House bill in this regard, but we have called for a study by the Secretary of Health, Education, and Welfare together with his recommendations, concerning the appropriate scope of the program in connection with future legislation extending it.

The House bill authorized a total of $475 million over a 3-year period for this portion of the program, whereas the Senate amendment would have authorized $600 million. The conference substitute provides $525 million for this purpose.

The Senate amendment would have authorized expansion of the program to include new construction. When this program was initially established in 1965, the issue of inclusion of new construction proved to be one of the most controversial elements in the legislative proposal. Fundamentally the issue was whether the program was intended to provide a nationwide network of federally operated health centers, or whether the program was to be a grass-

roots program, building upon the cooperation and expertise of the local health agencies and organizations nationwide.

After considerable discussion, the conferees on the part of the House agreed to the inclusion of new construction authority in the legislation, but have limited the amount of new construction to not more than $5 million per year. We feel that this will permit limited construction in those areas where it appears to be essential, without changing the thrust of the program in other respects.

Both the House and the Senate bills provide an extension of the existing program of research and demonstrations of new and innovative methods of delivery of health services. The House bill authorized a total of $231 million for this program over a 3-year period; the Senate bill authorized $259 million for the same period, and the conference substitute splits the difference authorizing a total of $245 million over a 3-year period for this program. The Senate proposed to extend the program for 5 years, whereas the House bill provided a simple 3-year extension and the conference agreement is the same as the House bill.

Several modifications of the program authorizing grants and contracts for research and demonstrations were contained in the Senate bill and agreed to by the House conferees. These provisions relate to the provision of home health services and research into new systems for the delivery of health care.

In addition, there have been a number of bills introduced in the past 2 years calling for the establishment of national health insurance plans. The conference agreement adopts a modified version of the Senate amendment with respect to these proposed programs, and provides for a study by the Secretary, through the systems analysis method of various plans for health care systems to meet the health needs of the United States, and for a thorough study of all bills introduced proposing a national health insurance plan. The study will be conducted in order to determine the costs of such a plan and the adequacy of the benefits proposed to be provided thereunder. The Senate amendment authorized $4 million for this purpose, and the conference substitute authorizes $2 million therefor.

As I mentioned earlier, the House has passed legislation extending the comprehensive health planning and services program (H.R. 18110), and the Senate amendment to H.R. 17570 proposed an extension of this program. The Senate amendment provided a 5-year extension of the program, whereas the House bill provided a 3-year extension. The conference agreement is limited to a 3-year extension, with a number of minor administrative modifications in the overall program.

Mr. Speaker, in general, this explains the major differences between the House and Senate bills as resolved in the conference agreement. The House conferees were unanimous in agreeing to the report, and we recommend its adoption by the House.

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

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

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

Mr. Speaker, I think that there are only two things that ought to be mentioned. We seem to change the titles of these bills. This one happens to be called the Regional Medical Programs and Comprehensive Health Planning and Services Act of 1970, but as a matter of fact this is simply the old heart, stroke, and cancer and the partnership for health bills we passed 4 years ago.

We have made two changes of any substance. First we have added kidney and related diseases to the program so that we now have heart, stroke, cancer, and kidney.

The Senate bill varied substantially from the House bill in that it included these three words, "other major diseases."

It is the feeling of the subcommittee that had this, and the feeling of our committee, we were familiar with the fact that the Senate had put this in when we considered it and decided at this point in history it was not well to include a whole list of other diseases and confuse the program and to dilute it to the point that we do not do as much about these four major diseases that we started out with.

Therefore, the Senate did recede, and we took out the words "other major diseases."

There is just one other substantial change from the Senate bill and that is that theirs was a 5-year program. Ours is a 3-year program. We agreed on a 3-year program. It has been the policy of our committee not to go beyond 3 years, and in each one of these instances to review this periodically in order that we not only know what the program is doing, but how and where the money is being spent.

I believe we made a good settlement with the other body, and I recommend the passage of the conference report.

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

Mr. SPRINGER. I yield to the gentleman.

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

I do not want to be a gadfly, asking the same question repetitiously, but does the gentleman feel that the amendments added by the other body are or would be considered germane under the rules of the House?

Mr. SPRINGER. I can assure the gentleman that that was considered in conference and they are germane.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, page 22 of the report, in the statement of the Managers on the part of the House, the first paragraph says: "the conference substitute is the same as the Senate version."

The Senate amendment contained an amendment to section 35 of the Public Health Service Act making clear that the authority of that section includes authority to license vaccines, blood, blood components or derivatives, and allergenic products.

I can full well understand the authority to license vaccines and allergenic products, and drugs and so on and so forth, which are handled under separate legislation.

But blood, of course, is a human tissue and if I am proper in my concept, prior to this time we have more or less exempted or excluded human tissues from such handling by third parties or from the Federal Government intervening in this area. Could the gentleman enlighten me on that?

Mr. SPRINGER. As far as the past history is concerned, this was passed by the House as a separate bill and was referred to the other body. No action was taken by the other body until it was made a part of this bill. We have passed it on the House before.

Mr. HALL. In the opinion of the gentleman, and for the sake of the legislative record, does the gentleman feel that this will maintain or save the experience in the handling of the American National Red Cross blood centers, for example, in dealing with blood, without undue restrictions on the part of the Government, as they operated therein?

Mr. SPRINGER. I could not visualize that there would be any restriction that I can think of. Maybe the gentleman can think of one, but I cannot think of a single restriction that would be placed on the American Red Cross by virtue of this language.

Mr. HALL. I appreciate the gentleman's statement and I am glad to have made this record.

I will say to the gentleman, I am not in the business of trying to find restrictions. I thoroughly believe in my heart that this ought to be a matter of voluntary contribution and free use and that the profession itself will handle any question of contaminants or illicit use or trade.

I think it is a wonderful chapter that has been written on the part of the American people in voluntarily contributing of their blood under the aegis of the Red Cross centers and others. I have nothing against private blood donor centers and have, indeed, sold blood myself as a medical student, and so forth. I simply want to be sure that there is no restriction in this licensure of blood and blood components.

Mr. SPRINGER. May I say to the distinguished gentleman from Missouri, it is my understanding that there is no restriction.

Mr. HALL. I thank the gentleman. Now—

Second, in the next paragraph on page 22 of the report under "Authority for Group Practice"; is it true that for the first time by accepting the other body's amendment, it does bring in the question of accepting preinsurance group practice for the benefit of certain areas such as fringe benefits, retirement funds or others—and, if so, is this a departure?

Mr. SPRINGER. It is a departure that was put into the bill after a great deal of thought. I am not exactly sure that this would be my position if I considered it separately, but this was the position of the conference, and what the gentleman has stated is true.

Mr. HALL. I thank the gentleman.

Mr. STAGGERS. Mr. Speaker, I yield whatever time he may require to the gentleman from Florida (Mr. ROGERS).

Mr. ROGERS of Florida. I thank the gentleman for yielding. Mr. Speaker, I urge adoption of the conference report.

Mr. Speaker, I urge my colleagues in the House to support the report submitted by the joint House-Senate conference on the Health Training Improvement Act of 1970.

As one of the House conferees and the sponsor of the comprehensive planning bill and a cosponsor of the regional medical bill which passed the House, I can earnestly say that the concepts embodied in the House versions of these bills have been for the most part retained in the report.

The Senate accepted my proposal for a National Council on Comprehensive Health Planning which would assist the Secretary of Health, Education, and Welfare in administering the program and would add to the prestige and national recognition of the program's accomplishments.

The conferees agreed to broaden the scope of the regional medical program to include kidney disease and related diseases. Under present law the program covers heart disease, cancer, and stroke. It was our feeling that we should not broaden the program to all major diseases at this time because of inadequate funding at a level considerably below congressional authorization.

The regional medical program has met with tremendous success during its years of operation. As my colleagues well know, the thrust of the program is to organize, research, and uniformly distribute throughout all of the geographical areas of the Nation, the latest concepts for the treatment of the major killer diseases, so that all physicians may utilize the latest technology and have access to the latest equipment in dealing with patients afflicted by these diseases.

The idea behind the comprehensive health planning program is to render assistance to the States and communities to provide for adequate planning of the appropriate distribution of medical facilities and personnel in accordance with the areas' needs.

I urge my colleagues to adopt the conference report on this vitally important program which attempts to give the people of this Nation quality health care.

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.

CONFERENCE REPORT ON S. 3586, HEALTH TRAINING IMPROVEMENT ACT OF 1970

Mr. STAGGERS. Mr. Speaker, I call up the conference report on the bill (S. 3586) to amend title VII of the Public Health Service Act to establish eligibility of new schools of medicine, dentistry, osteopathy, pharmacy, optometry, veterinary medicine, and podiatry for institutional grants under section 771 thereof, to extend and improve the program relating to training of personnel in the allied health professions, and for other purposes, and ask unanimous consent that the statement of the managers on the part of the House be read in lieu of the report.

The Clerk read the title of the bill.

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

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of October 8, 1970.)

Mr. STAGGERS. Mr. Speaker, this conference report deals with the overall subject of providing increased medical manpower for the United States, primarily in the allied health professions.

It has been estimated that there is a shortage of between 300,000 and 400,000 persons in the United States today to serve in the allied health professions. Every person serving as a medical technologist, a physical therapist, an occupational therapist, and X-ray technologist, or as a member of any of the literally hundreds of groups of allied health professionals helps provide health care for the American people, by making more efficient the services of physicians.

In 1966 the Congress first passed legistion establishing a program of Federal assistance for the training of allied health professions manpower, and the legislation we have before us today is designed to extend that program, with improvements in it that experience has shown to be desirable.

There were a number of differences between the Senate and the House versions of this bill, but in general, the conference agreement is the same as it relates to the program of assistance to the allied health professions schools.

Six other amendments were added by the Senate to the bill. An amendment providing assistance for new health professions schools was agreed to by the conferees. Under existing law, formula grants are made to new health professions schools based on their enrollment. In the case of a new school, the formula does not work, since there is no past enrollment on which to compute the amounts the school should get. The conference agreement provides that in determining the amount of this first-year payment, the Secretary of Health, Education, and Welfare shall compute the eligibility of the school for this formula grant on the basis of the first-year enrollment. This should provide additional assistance to new medical, dental, and other health professions schools in the first year of their operation.

The second amendment which was in conference, known as the Javits amendment, would have authorized up to $100 million in appropriations for grants to medical and dental schools in serious financial distress. The conference agreement does not contain this authorization, in view of the fact that there is available now over $50 million in authorizations which can be used for this very purpose. The conference agreement provides that if sums are appropriated out of this additional authorization, they may remain available until June 30, 1972, in order to provide the Secretary of Health, Education, and Welfare with flexibility in the use of these funds.

The Senate amendment established a program of grants for scholarships, loans, and work-study programs for students attending allied health professions schools. The conference agreement transfers part of the scholarship authorization to the loan program but otherwise is the same as the Senate amendment. It is our intent that this authority be used to provide assistance to students at schools training allied health professionals to the extent that such assistance is not available under other programs.

The Senate amendments also called for a study of the allied health professions programs, and for a report with reference to problems involving licensure of health personnel, and these amendments were accepted by the House conferees. We feel that the recommendations we will receive based upon these studies will be of help to us in future consideration of health manpower legislation. Another Senate amendment which was agreed to authorizes appropriations for health professions programs to be made in such a way as to be more consistent with the school years, so as to provide for better planning by the schools for the use of Federal funds.

Mr. Speaker, your House conferees have submitted a unanimous report, and we recommend that the House adopt it.

I yield whatever time he might require to the gentleman from Illinois (Mr. SPRINGER).

Mr. SPRINGER. Mr. Speaker, there is only one major difference in the conference report from the bill. The so-called Javits amendment would have added $100 million emergency assistance to medical schools, and practically the whole conference was taken up in discussing whether or not we were going to agree to that $100 million. We made a compromise on this in which we omitted the Javits amendment with the $100 million, but we added four categories in which we felt that assistance was justified. We put in a $3 million program for a total of 3 years to discover and encourage persons suited for allied health and training.

This is not for doctors. This is allied health personnel. Second, we did add scholarships to this. The Senate amounts were reduced to $4 and $5 and $6 million for 6 years. This is new in this conference report. Third, work-study programs were added, limited to 3 years, at $2, $4, and $6 million. Fourth, student loans were added to the allied health programs. On authorizations, a cut from the scholarships were put into the 3-year loan program for a total of $3.5 million, $5 million, and $10 million. These substantially are the changes between the House bill and the compromise we bring to the House today.

Mr. Speaker, I believe our arrangement with the Senate on this bill was good. I think the conference report ought to be approved.

Mr. ROGERS of Florida. Mr. Speaker, I rise in support of the conference report on the Health Training Improvement Act of 1970.

As one of the House conferees and as a sponsor of this legislation I can hon-

estly say that the main thrust of the House legislation embodied by H.R. 1300, which passed this body on July 30, 1970, has been maintained in the report.

In addition to the worthwhile programs for junior and senior colleges in the area of the allied health professions, the conference report contains a provision to expressly designate $55 million for special project grants to medical schools in financial distress. The conferees feel that the situation facing many privately owned medical and dental schools is critical and therefore urge the administration to give serious consideration to the needs of these institutions, with a view to requesting such sums as may be necessary to provide the emergency assistance which these schools require.

Because of the critical manpower shortage in the allied health or paramedical professions, it was the sense of the House to vastly expand the amount of Federal support and the scope of the program in this area.

In furtherance of this desire, the House provided for increases in construction grants of teaching facilities, improvement grants for general operation, special grants for projects to assist training centers in development of new curriculums and more capably utilizing manpower in the health area of our armed services. In addition, the conference report provides for traineeships for the advanced training of allied health professions personnel to insure that the supply of teachers will increase in numbers consummate to the Nation's needs.

Welcome additions to the conference report from the Senate bill include scholarship grants, work-study programs and loans for paramedical students.

Again, I wish to stress the importance of implementing a program such as this to help narrow the gap of our medical and paramedical manpower shortage. Only through programs such as this can we provide the people with quality health care and at a price everyone can afford to pay.

I urge my colleagues to vote for the conference report on the Health Training Improvement Act of 1970.

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 conference report was agreed to.

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 extend their remarks on the four conference reports just agreed to.

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

There was no objection.

PASSENGER TRAIN SERVICE

Mr. COLMER, from the Committee on Rules, reported the following resolution (H. Res. 1251, Rept. No. 91–1600), which was referred to the House Calendar and ordered to be printed:

H. RES. 1251

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 17849) to provide financial assistance for and establishment of improved rail passenger service in the United States, to provide for the upgrading of rail roadbed and the modernization of rail passenger equipment, to encourage the development of new modes of high speed ground transportation, to authorize the prescribing of minimum standards for railroad passenger service, to amend section 13(a) of the Interstate Commerce Act, and for other purposes, and all points of order against said bill for failure to comply with the provisions of clause 3, Rule XIII are hereby waived. After general debate, which shall continue not to exceed three hours, two hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, and one hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means, the bill shall be read for amendment under the five-minute rule. It shall be in order to consider without the intervention of any point of order, under clause 7, Rule XVI, the amendment in the nature of a substitute recommended by the Committee on Interstate and Foreign Commerce now printed in the bill as an original bill for the purpose of amendment under the five-minute rule, and said committee substitute shall be read by titles instead of by sections. At the conclusion of the consideration of title VIII of the amendment in the nature of a substitute for amendment, title IX of said substitute shall be considered as having been read for amendment. No amendments shall be in order to title IX of said substitute except amendments offered by direction of the Committee on Ways and Means, and said amendments shall be in order, any rule of the House to the contrary notwithstanding, but shall not be subject to amendment. At the conclusion of the consideration of the bill for amendment, the Committee shall rise and report the bill to the House with such amendments as may have been adopted, and any Member may demand a separate vote in the House on any amendment adopted in the Committee of the Whole to the bill or to the committee amendment in the nature of a substitute. The previous question shall be considered as ordered on the bill and amendments thereto to final passage without intervening motion except one motion to recommit with or without instructions.

Mr. COLMER. Mr. Speaker, I call up House Resolution 1251 and ask for its immediate consideration.

The SPEAKER. The Clerk will report the resolution.

The Clerk read the resolution.

The SPEAKER. The question is, Will the House now consider House Resolution 1251?

The question was taken; and (two-thirds having voted in favor thereof), the House agreed to consider House Resoution 1251.

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

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

Mr. Speaker, I assume that it is not necessary to further explain the rule, since it has just been read. I believe the Members are familiar with it.

In the interest of time, my remarks upon the merits of the bill itself shall be very brief.

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

Mr. COLMER. I yield to my distinguished friend from Missouri.

Mr. HALL. Mr. Speaker, I understand the need for haste, and I understand the need for the bill, and I understand the proper procedure on the part of the distinguished gentleman from Mississippi, the chairman of the Committee on Rules, and certainly of the Chair, in bringing up this resolution which has just been filed within the last few minutes or hours under this procedure; and, indeed, the Chair ruled at least two-thirds voted in favor of consideration of the rule today.

I wonder if the gentleman would explain in a little more detail the two areas wherein points of order are waived and thus the individual rights of Members are precluded as to making points of order against the bill.

Mr. COLMER. Yes, I shall be happy, Mr. Speaker, to attempt to comply with the request of my friend.

The first reason for waiving a point of order is possibly because of the speed with which the bill was reported as the Ramseyer rule was not complied with. The second reason relates to the nongermaneness of the committee substitutes and the tax section of the bill.

In both cases points of order would lie unless they were waived by the rule.

Mr. HALL. Mr. Speaker, I appreciate the gentleman's explanation. It would be a fair further presumption to presume that the speed necessitates bringing the rule up without a copy being available for all Members; is that correct?

Mr. COLMER. Let me reply to my friend to the best of my ability.

I generally am in accord with the inferences raised by the question of the gentleman from Missouri. It seems to me that this bill could have been reported at an earlier date, assuming that it is necessary to enact this type of legislation. I do not like the procedure of enacting legislation hastily. But our committee was told by the legislative committee that the demand for this was so urgent that some effort should be made to expedite it. That urgency, I am sure it is not necessary to remind my friend from Missouri, is due to the fact that there has been a continuous erosion going on in the area of furnishing passenger service transportation in this country. The passenger trains have been diminished down to the point where there are possibly fewer than five percent—and I cannot speak for the accuracy of that figure—of the passenger trains now operating that were operating just a few years ago.

The railroads have been constantly losing money on the operation of the passenger trains. The various communities throughout the Nation are all desirous of having the trains operate through their communities regardless of their size. The railroads have been having constant trouble with the Interstate Commerce Commission because of protests that were filed as well as with the

States on intrastate operations and with the railroad commissions of the various States. They have testified that they are losing millions of dollars on the operation of these passenger services.

To get right down to what is involved in this bill, a corporation is created which the railroads will take stock in, in return for equipment. They are the purchaser thereof. The Government backs the corporation for $100 million in grants and loans up to $200 million, as I recall the figure. In other words, the whole thing is directed at trying to put some life back into the passenger train service of this country.

Mr. Speaker, I do not like this Government participation any more than some of the other people around here. However, we have gotten to the point where something is going to have to be done. Railroads are going bankrupt or are threatened with bankruptcy, and this is the answer that the legislative committee came up with.

Mr. HALL. Mr. Speaker, if the gentleman will yield further, I appreciate the gentleman's statement.

Is it contemplated that there will be action in the other body of the Congress concomitant with this in time to make this effective before we recess on the completion of business tomorrow?

Mr. COLMER. My understanding is—and, of course, I can only speculate, as the able and distinguished gentleman from Missouri can, that this is a very live subject over in the other body, and it is hoped that the matter may be consummated before we recess.

Mr. HALL. One final question, Mr. Speaker.

Is it contemplated that we will complete debate on this today under the rule, or is it contemplated, as said earlier in the programing, that this would go over until tomorrow?

Mr. COLMER. I would be pleased to yield to my good friend from West Virginia, the chairman of the committee, who can better answer that question.

Mr. STAGGERS. I am sure there is an understanding that this bill will not be completed today. If we start on it, it will only be through several pages of it.

Mr. HALL. Is it contemplated that we will complete all general debate on it today, or will there be some portion of general debate left over until tomorrow?

Mr. STAGGERS. We had hoped that we could complete general debate, but, if not, it will be left over until tomorrow. But, of course, anybody who will want to have anything to say could talk on it under the 5-minute rule.

Mr. HALL. That is not the point. The point is that based on the original programing and plans, early in the afternoon some of us advised our constituents and others that the plan was to take this bill up tomorrow if the rule were passed today. Of course, I am not one of those who are privy to the plans of the leadership nor should I necessarily be advised of the change in plans, but it does put so many of us in an embarrassing position who have advised our constituents otherwise.

Mr. STAGGERS. I can understand the gentleman's concern and say to him that only in trying to expedite the adjournment of the Congress tomorrow was it even contemplated to take this up this afternoon. It was done with the understanding that the consideration of it would be confined to general debate, and that alone.

Mr. HALL. Would the gentleman care to go so far, Mr. Speaker, as to say that all general debate will not be consummated before we convene tomorrow?

Mr. STAGGERS. Mr. Speaker, if the gentleman from Mississippi will yield further, I could do that. I do not know of too much general debate on this issue. I believe we can explain it very briefly and then if there are any issues or questions I am sure we can take them up tomorrow, if need be. However, I would be ready for the Committee to rise at any time after a reasonable amount of general debate.

Mr. HALL. I thank the gentleman.

Mr. COLMER. Mr. Speaker, technically speaking, House Resolution 1251 provides a rule with 3 hours of general debate, waiving all points of order for failure to comply with clause 3, rule XIII—the Ramseyer rule. Two hours of the general debate shall be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce and 1 hour of the debate shall be controlled and equally divided by the chairman and ranking minority members of the Committee on Ways and Means. It shall be in order to consider without the intervention of any point of order, under clause 7, rule XVI—germaneness—the committee substitute as an original bill for the purpose of amendment and the substitute shall be read by titles instead of by sections. At the conclusion of the consideration of title VIII of the committee substitute for amendment, title IX shall be considered as having been read for amendment and no amendments shall be in order to it except those offered by direction of the Committee on Ways and Means.

The purpose of H.R. 17849 is to establish a National Railroad Passenger Corporation to provide modern, efficient, intercity rail passenger service. The corporation would be responsible for providing all intercity rail passenger service and all railroads would be eligible to join the corporation. Upon joining, they would be relieved of the responsibility of providing passenger service.

The Secretary of Transportation would be required to submit a preliminary report within 30 days after enactment of the legislation setting forth recommendations for a basic national rail passenger system. The ICC, State public utility commissions, railroads, and unions would have 30 days thereafter to submit their comments on the Secretary's preliminary report and the Secretary would submit his final report within another 30 days, or 90 days after enactment.

The corporation would be a quasi-private, for-profit corporation—not an agency or establishment of the Federal Government—authorized to operate or contract for the operation of intercity rail passenger trains and to conduct research and development related thereto. It will operate under some ICC regulations.

The corporation would have a 15-member board of directors, eight of whom would be appointed by the President with the advice and consent of the Senate, three of whom would be elected by the common stockholders, and four by the preferred stockholders. The board of directors would appoint the officers. The common stock—$10 a share—may be initially issued only to railroads and preferred stock—$100 a share—only to other than railroads.

Each railroad operating intercity passenger trains would be offered a contract on and effective on March 1, 1971, to relieve it of responsibility to provide intercity rail passenger service. Such contracts would be offered again on or after March 1, 1973; no contract will be offered after January 1, 1975.

A contracting railroad would be required to pay the corporation amounts computed in accordance with either one of three formulas most favorable to the railroad:

First, 50 percent of the fully distributed passenger deficit of the railroad for calendar year 1969;

Second, 100 percent of the avoidable loss of all intercity passenger service operated by the road during calendar year 1969; and

Third, 200 percent of the avoidable loss of intercity passenger service operated by the road over routes between points within the basic system during calendar year 1969.

Payments may be made at the option of the corporation either in cash, in equipment, or by providing future service, for which the railroad will receive common stock unless it waives all rights to receive stock. Cash payments shall be made monthly the first year and thereafter as agreed to by the parties.

If consistent with good management, intercity passenger service may be provided in addition to the basic system and would become a part of the basic system if provided for more than 2 years. Any State, regional, or local agencies may request additional services, upon payment of not less than 66⅔ of the losses attributable to such service.

The corporation is required to provide service within the basic system for a 3-year period.

An appropriation is authorized in the amount of $40 million to enable the Secretary of Transportation to make grants to the corporation to assist it in organizing. Also, the Secretary would be authorized to guarantee loans totaling $100 million to the corporation with which to acquire new rolling stock, to upgrade roadbeds, and so forth; he would be authorized to make loans or loan guarantees totaling $200 million outstanding at any one time to railroads to enable them to perform contracts entered into under the legislation.

The railroad and the corporation must make equitable arrangements to protect the interests of the employees affected by discontinuance of service.

Mr. Speaker, I urge the adoption of the rule in order that H.R. 17849 may be considered.

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

Mr. Speaker, House Resolution 1251 was just passed by the Rules Committee today with the view that this particular bill and the manpower bill will be completed before we recess tomorrow night. It was agreed to bring it up today under the order under which we are proceeding.

It is my understanding that the other body has passed a similar bill. However, there are some differences between the bill passed by the other body and this bill. It is entirely possible that the other body may accept the bill as written by the House.

This particular bill is in fact a committee amendment in the nature of a substitute, with the result that points of order would lie against the original bill because title IX of the substitute was not in the original committee bill. That would make it subject to a point of order and if one part of the substitute is subject to a point of order, then the entire committee substitute is subject to a point of order.

In addition to that, the Ramseyer rule was not complied with on title IX. Because of that points of order are waived. Title IX was handled by the Committee on Ways and Means while the balance of the bill was handled by the Committee on Interstate and Foreign Commerce. Title IX does have provisions dealing with the revenue code which would open up the entire code and, accordingly, points of order are waived as to that and it is closed so that no other amendments may be offered to title IX.

Mr. Speaker, it is my understanding that the subcommittee reported out this bill unanimously, as did the full committee.

The purpose of the bill is to create a new corporation charged with the responsibility of providing a minimum of rail passenger service on intercity routes and certain specific population corridors.

Today, the Nation is faced with the immediate threat of a complete curtailment of all rail passenger service. In 1929, there were some 20,000 passenger trains in the United States. By 1946, some 9,000 of these had disappeared. In the last 24 years so many had been canceled or discontinued that today there are less than 500 passenger trains—and over 100 of these remaining few are currently in the process of discontinuance proceedings before the Interstate Commerce Commission. In 1969, the rail passenger deficit of the American railroads was about $200 million. Unless positive action is taken at an early date there will soon be no rail passenger service.

The bill would create the National Railroad Passenger Corporation, a private corporation which would not be an agency of the Government. It will be directed by a 15-member Board of Directors, eight appointed by the President, with the advice of the Senate, three members elected by the common stockholders and, the remaining four directors elected by the preferred stockholders.

The corporation would be authorized to operate or contract for the operation of intercity rail passenger trains. Each railroad company operating such passenger trains would be offered a contract to perform such services for the corporation after March 1, 1971. If it entered into such a contract, it would be fully relieved of all responsibility to offer such service itself.

Upon entering into such a contract, the corporation would assume the responsibility for and would operate—most likely by contracting with the railroad previously charged with the responsibility in each particular case—passenger trains between basic points where service is required, necessary and desirable. All other passenger trains could be discontinued merely by giving 30 days notice.

In consideration for being relieved of the responsibility of providing passenger train service, the railroad would be required to pay to the corporation sums computed on a formula basis. Three formulas are provided and payment would be based on the one most favorable to the railroad. Sums paid to the corporation could be paid in cash, equipment, or by providing future service, the choice to be at the option of the corporation. In return the railroad would receive common stock equal in par value to the payment made to the corporation.

Upon enactment of the bill, a 5-year moratorium is declared on passenger train discontinuance by any railroad which has not entered into contracts with the corporation. This should bring in all railroads with passenger service.

The corporation, in addition to its basic system, may add additional passenger service when it believes desirable, and trains which are a part of the basic system may be discontinued anytime after July 1, 1973, that the corporation finds such service is no longer necessary.

Under the bill, the Secretary of Transportation can make grants totaling $40 million to the corporation. Additionally, he is authorized to guarantee loans of the corporation up to $100 million for the acquisition of rolling stock, improve roadbeds, et cetera. Finally, the Secretary is authorized to make loans or guarantees on loans up to $200 million outstanding at anytime to railroads for the purpose of assisting them to perform contracts between themselves and the corporation.

The bill is supported by the administration. There are no minority views.

Mr. Speaker, I urge adoption of the rule.

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

The previous question was ordered.

The resolution was agreed to.

A motion to reconsider was laid on the table.

Mr. STAGGERS. Mr. Speaker, I move that the House resolve itself into the Committee on the Whole House on the State of the Union for the consideration of the bill (H.R. 17849) to provide financial assistance for and establishment of improved rail passenger service in the United States, to provide for the upgrading of rail roadbed and the modernization of rail passenger equipment, to encourage the development of new modes of high speed ground transportation, to authorize the prescribing of minimum standards for railroad passenger service, to amend section 13(a) of the Interstate Commerce Act, and for other purposes.

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

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of the bill H.R. 17849, with Mr. BURLESON of Texas in the chair.

The Clerk read the title of the bill.

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

The CHAIRMAN. Pursuant to the rule, general debate will continue for not to exceed 3 hours, 2 hours to be equally divided and controlled by the chairman and ranking minority member of the Committee on Interstate and Foreign Commerce, and 1 hour to be equally divided and controlled by the chairman and ranking minority member of the Committee on Ways and Means.

Under the rule, the gentleman from West Virginia (Mr. STAGGERS) will be recognized for 1 hour, and the gentleman from Illinois (Mr. SPRINGER) will be recognized for 1 hour.

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

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

Mr. Chairman, I would like to say that this bill does create a National Railroad Passenger Corporation for intercity railroad passenger service to revitalize a vital transportation mode that, as one of the members of the Committee on Rules said, has been rapidly dying. In 1929 we had over 20,000 passenger trains and today we have less than 500, and many of those are proposed for discontinuance.

Someone said that if we did not have a passenger train service it would be invented.

The administration urged us to pass this legislation.

I might say that not only is the administration for the bill, but the railroads of the country are for it, and so are the railroad unions for it. We had no opposition to the bill. I believe most reasoning people in this country realize that something must be done, and must be done quickly.

The bill will create a corporation which will be a private for-profit corporation, and we hope that it will be a profitable organization, and I believe that it will in the long run.

The bill authorizes $40 million to get the corporation off the ground, and then after that if need be, there are provisions for guaranteed loans up to a total of $300 million.

We know that in starting off they are going to have some trouble, but I expect that after a very few years it will be a prosperous organization, because we have begun to develop high-speed trains, better railroad cars, with more commodious service that people will use, as has been exemplified by the Metroliner that runs between Washington and New York now. The people are using these trains be-

cause they are acceptable, they are clean, and they afford rapid transportation from the heart of one city to the heart of another. I believe that with this as an example, this corporation will be able to move forward, and make a go of it.

The railroads do not have to join. But we contemplate that most of them, if not all of the railroads, will join. They either have to put money into it or services, or equipment. This should help to get it started.

Mr. Chairman, not much more need be said with the exception that it is going to take 2 or 3 years in order to get started.

This is not a Government agency. The way it is formed is the President appoints three incorporators and those three incorporators choose eight public members of the Commission. Then the common stockholders, I believe, appoint three and the preferred stockholders appoint four members, to make up the 15-member Commission.

This will be private, as I said, a private corporation to be run for profit.

A similar bill passed the other body and we believe that if this bill passes the House, it will take our bill.

One thing they did not have in their bill was the tax part of it since that had to originate in the House. The Committee on Ways and Means was busy, as all of us know, with very important matters, and at the very first opportunity they passed their portion and brought it to our committee and we kept our committee in session after 12 o'clock—1 day in order to accept that portion which they brought to us, and which we incorporated in the bill. We voted it out of our full committee unanimously, as it was out of the subcommittee.

Mr. Chairman, I reserve the balance of my time.

The CHAIRMAN. The gentleman from West Virginia (Mr. STAGGERS) has consumed 7 minutes.

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

Mr. Chairman, rail passenger service in the United States is rapidly becoming as extinct as the Dodo. The reasons are many and not always agreed upon by observers from different vantage points. There is no doubt that automobiles and airplanes have made long distance travel much faster and far more convenient than rail. Decreasing patronage has made many passenger trains clearly uneconomic. Whether this has been accelerated by poor service and the desire of the operators to be rid of the nuisance is a point of contention. Regardless of one's point of view as to why, we can scarcely argue successfully that railroad passenger service is alive and happy.

Should we then allow it to pass into oblivion and take its place alongside the horse and buggy in the museum? Is there good and sufficient reason to salvage or rebuild at least some of this service? I think so.

Realistic projections of the travel needs of the Nation, a scant 20 years hence, reveal that somewhere along that route the capacity of planes and autos to handle the traffic will be exceeded. Where, then, will we get an alternative? We already have it in the form of rail service if we can make it viable meanwhile. How to do it? How, indeed. There have been many schemes and suggestions, and Congress has looked at all of them. It has become apparent that saving the entire nationwide network of passenger trains, even all of those still extant, is impossible. Federal subsidies of astronomical proportions would be necessary to keep all those empty, long-haul trains operating. And it would be a monument to economic waste.

There do remain areas of the country where rail service should be useful and economically sound at the present time. The example which usually comes to mind is the Northeast Corridor, but it is not the only place. To preserve and improve such service is the objective of this legislation. I am not at all sure that it will be entirely successful. There is even a vague cloud of Government interference or Government operation involved. Too much Federal money seems to be required to make it work. But if the system has faults, it is still the best solution which has been suggested, and I think that we are duty bound to try it out.

Let me outline briefly how this system is intended to operate and then each Member will have to decide for himself, even as the members of our committee had to decide, whether the scheme deserves the change. I support it because it is the best of many bad answers to a tough but immediate problem.

First off, the Department of Transportation will be called upon to designate a basic intercity rail network which should be operated. This will not, as I have already intimated, be a nationwide network as we have known it in the past. It will necessarily concentrate upon corridors of high density travel which can presently have some hope of supporting rail service if it is properly promoted and properly run. I cannot say how many trains this might include, but I would expect that it would be a small proportion of the remaining 500 passenger trains now operating across the land.

A private corporation is created to take over and run those trains. The corporation will be managed by a 15-member board of directors, eight of whom will be appointed by the President. Three other directors will be designated by the railroads which hold common stock in the company. The remaining four directors will be chosen by the preferred stockholders who will be the members of the general public owning stock. This corporation will be the owner and operator of the system of passenger service. Initially it will operate the network designated by DOT, but this may be altered later as conditions warrant. Trains may be added if it seems practical, and uneconomic trains can be run if local agencies feel they are worth enough to the area to absorb some of the loss involved in the operation.

Although it is intended to be a corporation run for profit, the harsh realities indicate a massive infusion of money from the Government to make it go. Although there is provision for the railroads to pay for the privilege of getting out of the passenger business, we also know that most railroads are not in position to lay out much cash. Equipment and services can be used in lieu of cash, but the basic weakness of the industry will make improvement of service most difficult without some new capital. The bill provides an authorization of $40 million to get the corporation off the ground. Obviously it will be faced at once by the need for new and improved equipment and better roadbeds. An authorization of $100 million for guaranteeing loans for this purpose is included. As the corporation contracts with railroads to actually operate the equipment they face financial problems in complying. The bill authorizes a sum of $200 million for guaranteed loans to the railroad companies where it may be needed to assure the performance of these contracts.

If a railroad does join the corporation it will be relieved of the responsibility for operating passenger trains. Any runs not included in the basic system and which it will operate only as an arm of the corporation may be discontinued by merely filing the 30-day notice under section 13(a) of the Interstate Commerce Act. A railroad need not join the corporation, but if it does not do so, it must then continue to operate any passenger trains it may have for at least 5 years.

Payment into the corporation by the railroads is a complicated series of options based upon the losses they are now experiencing in the passenger business. There are three such options which do not justify detailed description here. By paying into the corporation under one such formula the railroad will obtain common stock in the corporation. If the railroad does not want stock but does want to participate in the system, it may use the payment as a deduction for tax purposes. Title IX of the bill covers this situation and is the handiwork of the Committee on Ways and Means.

All of this may seem like a pretty complicated way to accomplish the job. Perhaps it is. Certainly a straight handout and hope for the best would not make much sense in the light of past performance. A new approach, aimed directly at the passenger service problem and divorced as far as possible from present management, seems sensible. This is not meant to throw rocks at all railroad management, but if it were to be left there and did not work out, we would have all of the same arguments, charges, and defenses which befog the issue today. We need a clean slate, and this device of the corporation supplies that slate.

I sincerely hope it works. I do not want to see the money and effort required by this legislation go down the drain. I do not want to see railroad passenger service completely disappear. This is our best hope as we now see it, and I recommend that the House accept the work of our committee and pass H.R. 17849.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from Texas (Mr. PICKLE), a member of the committee.

Mr. PICKLE. Mr. Chairman, what we are doing today is simply trying to save the passenger trains.

Many of us grew up in communities which were known as "railroad towns." I did, in a little town in west Texas, Big

Spring. We had a roundhouse and were a key part of the T. & P. Railroad system. In a sense, I come from a railroad family. My father-in-law, Tracy Bolton, was a conductor on the Southern Pacific for some 40 years. He knew the glory and the majesty of the trains. He epitomized the finest in transportation, as in all other areas.

I have a feeling, and always will have, for the old trains, but outside of the nostalgia which comes to an individual when we talk about trains we are trying to save the passenger train because there is a need for it.

What we present to the House today, coming from the subcommittee of which I am a member, is an attempt to bring together various segments of the industry with the public, which would make this a workable entity.

I like to think of it in terms of a partnership, because we have brought the railroads into it, as they will have the opportunity to become partners in it through the purchase of common stock.

We have brought the banking and the financial institutions into it by virtue of their right to hold preferred stock. We have made the employees and the workers a part of the system because they can now know at least the system can be kept in existence. We have reached out and said to management "You must give up some of the old rights you have held in order to make this a workable organization." So I think we have made it a partnership.

Mr. Chairman, there is no pretention that we come to you with a perfect piece of legislation. I do not think anybody on the committee will say we are trying to oversell you on this bill. We think it is the best approach we have been able to come up with, because it does join hands with the different segments and keeps the passenger trains running until we can find new ways to improve this type of transportation.

That is the point I would like to make to the Members here. We can save the passenger trains, and this is very important. It has been proven over and over that the cheapest, the most economical and most efficient way to move large bodies of people is by rail or high-speed ground transportation. Our railroad system has gone down because we have not kept pace with the times. We have to find new methods of moving people. I would call your attention to the great strides that we are making in this area. We have a demonstration project under way on the west coast. We have a linear induction motor method, where you take a linear motor, a motor which you put on a straight line, flat, and the car is moved forward by magnetic propulsion. It can be a lot smoother and quieter and more efficient means of moving a train than present methods. We have demonstrations operating in other parts of the country, and we have work underway for a tracked air vehicle where by levitation we move the train off the tracks for 1 inch or more and move it forward by some means of power. At this time there is a rail demonstration using a turbine or a jet.

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

Mr. PICKLE. I will in just a second.

But we will see a combination, I believe, of train movement by linear induction and tracked air cushion vehicles where we can literally lift the train off the track and use it as a guideway and propel it forward with linear induction power. Then you have no pollution, no rocks, no roadbeds, and have great speed and comfort. We really can have something going for us there.

I now yield to the gentleman from Tennessee.

Mr. KUYKENDALL. Is it not true that the first of the action demonstration projects on the linear induction with tracked air cushion methods will be in the Los Angeles area between their airport and downtown?

Mr. PICKLE. Yes. I believe that is correct. The only project we have in the LIM area which is advanced at all is in the Los Angeles area, and the actual test will be at the point the gentleman mentioned. We do have a big demonstration project underway in Colorado, also. We lost 2 precious years on this, and it is very regrettable, but it is underway at last now. Although we did not get extra money when this measure was before us last week, we are making headway now. I hope next year we can put as much funds as possible into finding new ways to move people, because this is coming to be the big problem. Rail travel cannot compete with the airlines on the question of speed. I do not think anybody contends that. But if we will make it effective, we will find that we will be able to compete reasonably without this speed. If we can do it through the methods that I have mentioned, we will find that people prefer to move that way, and they will follow their preference. It is something we must look into and must look forward to. In that system of tubular methods or something similar we will see merit, but in the meantime we have to save the passenger trains in order that we can go to this area that we are looking at.

I hope we can pass this bill, because I believe it is very important for the future of our country.

Under this bill, the Secretary of Transportation will first submit within 30 days, his report for a basic national transportation system, specifying points between which intercity passenger trains would be operated, routes over which service would be provided, and the schedules and equipment characteristics of trains operating between these points. Then the ICC, State public utility commissions, railroads, and labor unions will have 30 days to comment on the report. Within 90 days, the final recommendations will be submitted to Congress. After the basic system is designated, a National Passenger Corporation, as a private, profitmaking corporation will be set up to deliver the service to the basic system.

The corporation will offer to each railroad operating intercity passenger trains a contract to relieve it after March 1, 1971, of its entire responsibility for the provision of intercity rail passenger service. The contracts will be offered on March 1, 1971, and again on or after March 1, 1973. No contract will be offered after January 1, 1975. Upon entering the contract, the corporation will operate passenger service between basic points of the system presently served by the railroad and the railroad will be allowed to discontinue all passenger service not within the basic system by simply giving 30 days' notice.

In return for being relieved of its duty to operate passenger trains, the railroad will contribute an amount to the corporation derived at by a choice of three formulas that link the amount of the contribution to the losses suffered by the railroad operating passenger trains in 1969. The railroad can make payments in cash, equipment, or by providing future service.

For making a contribution the railroads will have their choice of taking stock or receiving an income-tax write-off.

Upon a request by a State, regional, or local authority that is willing to bear two-thirds of the losses attributable to such service, the corporation can operate trains outside the basic system.

Also, there is a provision in the bill that provides that arrangements must be made to assure fair and equitable treatment to employees affected by discontinuances of trains.

The Federal Government is authorized in this legislation to put up $340 million in grants and loans. Between this Federal backing and the funds contributed by the railroads, the corporation will hopefully be financially sound.

Mr. Chairman, I would say all in all this bill is a sound start toward balancing our national approach to transportation. We have already passed a substantial air line bill, and we are considering a highway bill. We need to pay attention to this third leg of the transportation stool, also. Many other countries have gone a long way toward developing their rail systems and have found them a good, efficient, inexpensive way of moving people around among the more heavily populated areas of their countries. I think that high speed ground transportation is a must for our own heavily populated areas, and I urge my colleagues to support this bill.

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

Mr. KUYKENDALL. Mr. Chairman, I would like to join the distinguished chairman and ranking minority member of the committee in support of this legislation, which came from our Aviation and Transportation Subcommittee.

May I pick up two or three minor points that should be developed for information here.

In addition to the appropriation of a part of the money for the capitalization of this corporation, each railroad that turns its passenger service over to the corporation will be assessed an amount of money equivalent to part of its passenger loss last year. They will be allowed to pay this amount of money to the corporation in several different ways which the Committee on Ways and Means will discuss when they take up their part of the bill.

Some people may ask, "Well, how in the world can Penn Central which is already bankrupt be assessed to join the corporation?"

One of the ways is that the money may be paid to the corporation for their assessment in services rendered because the corporation will, obviously, lease tracks and will lease locomotives and sometimes even crews from the railroads themselves and the railroads will be allowed to pay their assessment to the corporation in kind and in service if they are not financially able to pay their assessment.

Mr. Chairman, here is another point I want to make just in passing and in order to clarify a matter: Again, let me say that when the railroad decides to release its passenger service, it releases all of its passenger trains to the corporation. The corporation will by that time have decided what the basic system is to be and what corridors are to be used as a part of the basic system. The trains that are not a part of that basic system will then be discontinued by the corporation within 30 days.

The corporation may itself, if it happens to have a train in the system which is totally unneeded, impractical and unprofitable, discontinue its operation under certain very special circumstances in 2½ years.

Now, Mr. Chairman, to get into the area which was discussed by the gentleman from Texas (Mr. PICKLE), we do not anticipate spending a lot of money on refurbishing worn out equipment. I think the Metroliner between here and New York, the turbo trains that are already running in the Nation, the linear induction experiments that are already being conducted in Southern California, the test tracks that will be in operation in Colorado, in the next few months will show what the future holds.

Mr. Chairman, if anyone asks, "Do you think that with the present equipment can this passenger corporation be profitable?" the answer is "absolutely not." It cannot be profitable with the present equipment. By by starting with equipment like the Metroliner and going rapidly ahead into the really sophisticated equipment of the future, it can be and will be a profitable operation.

Mr. Chairman, one of the reasons for keeping the passenger trains is to keep the rights-of-way. The linear induction motor with the cushioned air vehicles will probably run on part of the same rights-of-way that are now being used for passenger service.

In conclusion to people who ask you, "Why does this have to be?" you can ask them to just look at the airways between here and Boston, look at the airways in Chicago and look at the congested airway system of this country. We know that the airways are already congested to the point where we are having to develop new and sophisticated and different ways of handling air traffic. Further, we can look at the highways and the crowded conditions on the highways, plus the air pollution caused by all of the automobiles now and probably in the foreseeable future, at least with the old automobiles, and one can see that there is not only the matter of safety in the airways, safety on the highways, the crowded conditions on both the airways and the highways as well as the environmental problem which is created and which is a part of this problem, and see why we must maintain and operate a really successful high speed ground transportation system.

Mr. SPRINGER. Mr. Chairman, I have no further requests for time. I reserve the balance of my time.

Mr. STAGGERS. Mr. Chairman, I yield 2 minutes to the gentleman from Wisconsin (Mr. REUSS).

Mr. REUSS. Mr. Chairman, I thank the distinguished chairman for yielding and I congratulate all the members of the great Committee on Interstate and Foreign Commerce for bringing this ingenious and constructive bill to the floor. I know that it will pass overwhelmingly.

I note the purpose of the bill is to revitalize rail passenger service where it needs to be, particularly with new equipment and advanced vehicles.

Just this week on October 8 your Committee on Government Operations got out a report entitled "Environmental Pollution, Discharge of Railroad Human Waste From Railroad Trains", in which we took note of the untidy practice on many trains in this country of discharging untreated human waste on the right-of-ways. Not only is this unesthetic, not only is this a very poor working condition for the railroad workers, but since these wastes are dumped into the streams and on the rights-of-way where human beings other than railroad workers may come into contact with them, it represents a real health hazard.

I would, therefore, ask the distinguished Chairman whether it is not in his mind, and in the minds of the other members of the committee, as I hope it is, that this new equipment, when installed on this excellent new system, will have provision as all the trains of Europe and Canada today do, for adequately treating human or other wastes which are discharged from the trains.

Mr. STAGGERS. Mr. Chairman, I can assure the gentleman from Wisconsin that this would be true because I cannot even conceive of any mode of transportation system not taking care of this matter, especially when we are today trying to take care of our environment in every way. And I can assure the gentleman that this will be fully considered.

Mr. KUYKENDALL. Mr. Chairman, if the gentleman will yield, the equipment that we already have running under the supervision or under the direct sponsorship of the DOT, like the turbotrain and the Metroliners, all have sophisticated and hygienic facilities so there is no danger whatsoever of this rather ancient practice being continued.

Mr. REUSS. Mr. Chairman, I am delighted to hear this, and I yield back the balance of my time.

Mr. STAGGERS. Mr. Chairman, I yield 5 minutes to the gentleman from Washington (Mr. ADAMS), a member of the subcommittee that considered the bill.

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

This bill does represent, as has been stated by the chairman and by the ranking minority member, many, many months of work in trying to put together various parts of a system that unfortunately throughout the years has fallen apart.

There are many people in this Congress who started out as long ago as 2 years ago in working together in trying to correct the quality of service problems on the passenger trains, and also the discontinuance problems that have developed, and this now, with the combined efforts of the Secretary of Transportation and many others, had evolved in this independent corporation.

Mr. Chairman, I think the remarks of the gentleman from Texas (Mr. PICKLE) are very important, and that it will require an updating of equipment to make this program work. We really have established a 5-year interim program for this Congress to move from chaos in railroad passenger service to an orderly type of program.

None of us, and I want to re-echo the words of the gentleman from Tennessee (Mr. KUYKENDALL) and the gentleman from Texas (Mr. PICKLE) as well as the chairman and the ranking minority member, that none of us know specifically all of the things that will happen to the railroad passenger service of America as it evolves through the next 5 to 10 years. We are going to have to continue working on this. The matter will be before this Congress again, I am certain, within this next decade.

We are going to have to be looking at what has been done and what will be done in the countries such as Japan and those in Europe, so as to know how they can run their passenger trains at rates of up to 200 miles per hour. We know that a designated system by the Secretary of Transportation is going to have to have some flexibility. This was built into this bill. It allows communities, if they feel that they need service, and that they have not been placed into the designated system, to come in and obtain that service if they are willing to pay for the losses.

It also provides that during the course of the next few years, the corporation itself may designate, and then may change portions of this system, to meet the changing needs of America.

My particular interest in this bill is the fact that many people when they analyze the transportation problems of America are not aware of the fact that the airplane only carries between 5 percent and 10 percent of the people who travel intercity. The railroad trains are down to 3 percent or 4 percent. The bus has only about 11 percent.

Most of the people who travel now between our urban centers have to go in and out of them by automobile. Any of you who have traveled into the urban centers recently know that they have become more and more congested to the point where it is becoming impossible to travel into these cities by normal vehicle traffic. So we have to maintain these rights of way throughout the country. That is what this bill is for. We have developed a system of rights of ways with less than 5-percent grades connecting the cities of America. The problems of national defense and the problems of increasing urbanization and of moving the people who cannot afford to fly—those problems have to be covered by some kind of ground transportation.

As the gentleman from Texas pointed out, we have available now equipment

that can run 200 or 300 miles an hour. We have to find methods to correct the road beds so that this can be done. We have to be certain we maintain these rights of way so that the connections can take place.

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

Mr. ADAMS. I yield to the gentleman.

Mr. PICKLE. Mr. Chairman, I want to say that the gentleman from Washington has made a very great contribution to this bill which has been before us and to the passenger train service system. We have met many long hours and I guess we have spent as much time on this one program or approach as we have on any bill before the committee. The gentleman from Washington has made a very important contribution to this bill that we now have before us, and I want to congratulate the gentleman.

Mr. ADAMS. I thank the gentleman from Texas. The gentleman has been one on our committee who has combined not only parts of this bill, but the vision of the high speed ground transportation bill which we recently passed in this House, where we are trying to develop new equipment that will go on this system. We do realize that new equipment will be required.

This is a novel approach—the creation of this new corporation and I certainly wish it every success. I hope the Members of the House during the next 5 years, as it operates will do as I have done, go out and ride these trains and see what is occurring. I have ridden the Metroliner and I have ridden the other service to New York. I think we are definitely going to have to strengthen this type of service throughout the United States.

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

Mr. STAGGERS. Mr. Chairman, I yield to the gentleman from Pennsylvania (Mr. EILBERG) for a question.

Mr. EILBERG. Mr. Chairman, there are several members of the Brotherhood of Railway and Airline Clerks who live in my district and a representative from that union talked to me yesterday about a concern that they have with section 405(e) of the bill. This section, as I understand it, provides that the corporation cannot contract work out if employees covered by a collective-bargaining agreement with the corporation or a railroad are laid off as a result of the contracting out. The concern of the Brotherhood representatives in Philadelphia, is that whenever the company has attempted to contract work out in the past, whether or not a layoff has resulted, they have been successful in protecting the rights of their members to perform the work in question. Does this language mean that if a layoff does not result that they can no longer protect against such subcontracts?

Mr. STAGGERS. I am glad that you asked that question. This language is contained in the bill to protect against employees being laid off as a result of the passage of this bill and any subcontracting that the corporation created might deem necessary. It is not intended to, nor does it interfere with, existing collective bargaining relationships between some of the unions and the carriers. If a union has been able to protect against subcontracting by other means this clause does not take away this right.

That is covered on page 11 of the report and the gentleman may read that to be reassured on this point.

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

Mr. STAGGERS. I yield to the gentleman from Tennessee.

Mr. KUYKENDALL. As the gentleman from Texas and the gentleman from Washington both stated, the work on this bill was extremely long and quite tedious at times, and the brotherhoods were outside in the wings at all times. There were many, many instances, including this specific one, in which arrangements to protect the rights of the brotherhoods were worked out, and I can assure you that, with them, with the judgment of both the brotherhoods that were working with us and the members of the committee, these matters were considered and I think handled to the satisfaction of all parties.

Mr. STAGGERS. Mr. Chairman, we have no further requests for time on this side of the aisle.

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

The CHAIRMAN. Under the rule, with the separation of title IX of the bill pending before the committee, the gentleman from Oregon (Mr. ULLMAN) will be recognized for one-half hour and the gentleman from Wisconsin (Mr. BYRNES) will be recognized for one-half hour, controlling the time for general debate for the Committee on Ways and Means. The Chair recognizes the gentleman from Oregon.

Mr. ULLMAN. Mr. Chairman, the Ways and Means Committee part in this legislation is a relatively minor one, dealing only with the proper tax treatment to be accorded to the contributions in the form of cash, equipment, or services which the railroads may make to the National Railroad Passenger Corporation.

Under present law, a corporation may deduct for tax purposes ordinary and necessary expenses it incurs in carrying on a trade or business. However, this does not generally include amounts paid to acquire stock, such payments being treated as nondeductible capital expenditures. The payments required to be made to the passenger corporation by railroads under this legislation appear to be, in reality, more in the nature of an ordinary and business expense than a capital expenditure, and where the railroads forgo the receipt of any stock the "ordinary and necessary business" aspect of these payments becomes quite clear. Title IX of the pending bill, which is the only portion of the bill being handled by the Committee on Ways and Means, therefore, provides that a railroad which makes a payment in cash, equipment, or services is to be allowed to deduct the payment for tax purposes in the year in which it is made, but this deduction is available only if no stock in the passenger corporation is issued to the railroad. If the railroad subsequently acquires stock in the passenger corporation, then this tax deduction is to be denied retroactively.

This principle of permitting a deduction where the payments in reality represent a business expense rather than a capital contribution is recognized under present law in the treatment of capital contributions which lenders must make to the Federal National Mortgage Association. Congress recognized, in this case, that part of the payment for the stock of the Association in reality was not a contribution to capital but rather actually was a payment made by the subscriber so that he would be permitted to sell mortgages to the Association. As a result, it provided that any excess of the issue price of the stock in these cases over its fair market value is to be treated as an ordinary and necessary business expense. The problem presented in this bill is essentially the same except that the value of the stock of the Passenger Corporation cannot be determined. However, the Committee on Ways and Means is of the opinion that in those cases where the railroad is willing to forgo entirely the receipt of capital stock for its payment, it is clear that the nature of this payment is essentially that of relieving them of the obligation to carry on railroad passenger service and, therefore, represents an ordinary and necessary business expense.

Another justification for permitting a deduction of the payments made to the Passenger Corp., in those cases where capital stock is not issued lies in the fact that these payments remove the requirements for the provision of passenger service by the railroad, which would have resulted in tax deductible losses. To a railroad which deducts a passenger service loss against income derived from other lines of service, it is clear that this loss is only approximately one-half as significant as a loss which cannot be offset in this manner. It would appear that permitting the payment—which is measured by the passenger service loss—to be deducted as provided in title IX better reflects the real net obligation the railroad is being relieved of.

The Committee on Ways and Means is of the further belief that the allowance of deduction in these cases is essential if the railroads are to offer the passenger corporation a sufficient proportion of all passenger car service in the country to enable it to develop a viable nationwide service.

The CHAIRMAN. The Chair recognizes the gentleman from Wisconsin (Mr. BYRNES).

Mr. BYRNES of Wisconsin. Mr. Chairman, I yield myself such time as I may consume.

Mr. Chairman, I do not think it is necessary to add a detailed explanation to the remarks made by the gentleman from Oregon (Mr. ULLMAN).

The Committee on Ways and Means received from the Committee on Interstate and Foreign Commerce a request to consider changes in the tax law, and these changes are included in title IX of the bill. The philosophy of title IX did not originate in the Ways and Means Committee, although we did study the proposal and found it meritorious.

I think the tax provisions of the bill will lend encouragement to the railroads to join in this program and the success of the program depends upon the support of the railroads. What the tax provision really does is give another

alternative to a railroad that desires to turn over its passenger service and pay the corporation for taking over that responsibility.

The bill permits the railroads to relieve themselves of the passenger service operations they are currently required to provide in exchange for payments they are required to make under the bill. They can do this by turning over the routes they have to the new corporation and paying—under the general method prescribed in the bill—one-half of the loss that they sustained during 1969. In return for that payment, either in cash, equipment, or services, they would be given stock.

We understand that there are railroads not attracted by this option that would favorably consider paying the obligation in money, kind, or services if they are permitted, instead of taking the stock, to take a tax deduction for the value of their contribution. This is an additional alternative that we provide in title IX.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from Tennessee.

Mr. KUYKENDALL. Mr. Chairman, in the subcommittee we had a discussion of one of the points. I want to find out if it was discussed in the gentleman's committee. That is the question of who will take each option. It occurred to us that possibly the non-moneymaking railroads would take stock, and the moneymaking railroads would not take stock. Therefore, we would end up with the moneymaking railroads with no ownership whatsoever in the corporation and the railroads that do not know how to make money with ownership in the corporation, and it seemed to us we would be defeating our purpose a little bit with this idea. Was this discussed?

Mr. BYRNES of Wisconsin. It was. Frankly, the general feeling was that we could not make a judgment as to what alternative any given railroad would take.

Mr. KUYKENDALL. So the committee did not consider this a potential danger to the corporation?

Mr. BYRNES of Wisconsin. I think the feeling we had was that the important goal was to get a corporation established, as proposed by this legislation, that would manage the severely declining passenger service network in the United States on a viable basis, so that the people would be assured of service rather than end up a few years from now with no rail transportation.

Somebody is going to have to step into the present vacuum. I think we were more concerned with the necessity to encourage development of the new corporate structure that is desired than we were with speculating as to who might take stock and who might not.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from Oregon.

Mr. ULLMAN. I believe we were also concerned that all the roads come in, not just the losing roads or the profitable roads. This alternative tax treatment, we felt, would bring in all the roads and thus would bring in management capability.

Mr. KUYKENDALL. Mr. Chairman, if the gentleman will yield further, there was no question in my mind that the two main goals were to be sure the corporation would exist and to give equitable tax treatment to encourage everyone to join. The only point I mentioned to the gentleman from Wisconsin was one we discussed, and he does assure me it was discussed thoroughly.

Mr. BYRNES of Wisconsin. I might suggest to the gentleman that one of the factors determining whether a specific railroad might desire to have stock or desire to have the loss writeoff is that if a railroad is consistently losing money it is not paying any taxes so the writeoff is of no particular assistance. A railroad currently in a loss posture would probably take stock. Then at some future date, if the stock were not worth anything, they could dispose of the stock and take a capital loss.

The only point I am trying to make is that we cannot say what the moneymaking railroads will do, whether they will take stock as against the writeoff, or what the railroads operating at a loss will do. They will have to carefully evaluate their current and anticipated operations over a considerable period of time.

We could not make a judgment as to who would do what. We therefore looked at the overall merits and equity of the proposal, and the desirability of trying to assist in the development of this new corporate network to render passenger service.

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

Mr. BYRNES of Wisconsin. I am glad to yield to the gentleman from Washington.

Mr. ADAMS. We appreciate very much the work that has been done by the Ways and Means Committee. I just wanted to be certain in the debate it was reflected that it was the thought from the Committee on Interstate and Foreign Commerce, and particularly the subcommittee which worked on this, that we wanted all the railroads in that corporation if it were at all possible. We did want to give them the relief that they could write off their losses, and even as the gentleman from Tennessee mentioned the moneymaking ones, because we felt without the strength of the moneymaking roads being reflected on that board, both as directors and as officers, we might have trouble making the corporation viable. I hope that thought runs through this debate, so that those dealing with the corporation in the future will understand what was our intent in creating this corporation in this bill, which is to give the best of American railroading, to get those people to run the passenger system.

Mr. BYRNES of Wisconsin. I believe that was the viewpoint which existed in the Ways and Means Committee in considering this proposal. We wanted to provide encouragement to provide coverage on an equitable basis of 100 percent of the passenger service, if that is possible, under the new corporate structure, or to come as near to this goal as we can.

I believe the gentleman feels that is the essential ingredient. We got that message from his committee. Therefore, in considering the tax aspects of this proposal, we kept this basic objective in mind.

Mr. ADAMS. At the end of 3 years, if they have completed and washed out their agreement with the corporation, it is my understanding they could then buy stock if they wanted to. During the 3 years they could not, or the deduction would be lost, but once they had cleared out their contract they could do so.

Mr. BYRNES of Wisconsin. That is correct.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from Massachusetts.

Mr. CONTE. Mr. Chairman, I rise in support of H.R. 17849 which would preserve intercity rail passenger service by creating a National Railroad Passenger Corporation. I have long followed with dismay the ever-decreasing quality and quantity of rail passenger service in the United States. As the ranking minority member of the House Appropriations Subcommittee on Transportation, I have had ample opportunity to study this tragedy and to recognize its very serious consequences for the Nation as a whole.

That is why I have repeatedly called for an end to it. On September 23, 1969, I joined some of my colleagues in legislation that would have authorized the Interstate Commerce Commission to prescribe minimum standards for railroad passenger service. I see no need, Mr. Chairman, to elaborate on the current quality of this service in the United States. My record at hearings before the Transportation Appropriations Subcommittee is very clear. I think the quality of passenger service is terrible, and I urge those who entertain doubts about this to get on any regular passenger train here and compare it to the trains that criss-cross the European continent.

But it may take some doing to find a passenger train anymore. The committee report notes that of some 20,000 passenger trains in 1929 in the United States, only 500 are left—and over 100 of these are presently in the process of discontinuance proceedings before the ICC.

The situation in New England, and specifically in the First District of Massachusetts, which I represent, is very, very bad.

On April 24, 1970, I testified to the ICC in Springfield, Mass., in opposition to the proposal by Penn Central Railroad to curtail service from New York City to New Haven and Springfield and Boston, Mass. Among other things, I said:

> It is apparent to me that this curtailment is only the latest chapter in the recent annals of increasingly intolerable railroad passenger service. There is absolutely no excuse for this downward spiral of passenger service quality and quantity to continue.

I also sent a telegram to Chairman George M. Stafford of the ICC to the same effect.

On May 21, 1970, I testified to the ICC in Pittsfield, Mass., to oppose the proposal by Penn Central to discontinue trains numbered 427 and 428 which ran from Albany through Pittsfield and Springfield to Boston. I said then:

> From my point of view and that of the many who still rely on this service, no time

would be the right time for the end of the Eastern States Express.

And then on July 13, 1970, I again stated to the ICC in Pittsfield to protest the proposal to eliminate the last four trains between Pittsfield and Danbury, Conn.

There must be an end to this tragic decline in rail passenger service. For that reason, Mr. Chairman, I strongly support the proposal to create a Rail Passenger Corporation and urge my colleagues to do likewise.

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

Mr. BYRNES of Wisconsin. I yield to the gentleman from Oregon.

Mr. ULLMAN. I believe the record should show, in answer to the question of the gentleman from Tennessee, that the makeup of the Board will be as follows: eight members of the Board are to be selected by the President, three by the common stockholders, and four by the preferred stockholders. The railroads would only have access to three of the Directors, whereas the President would be appointing eight. So I do not think you could say this would be managed by losing railroads.

Mr. BYRNES of Wisconsin. Mr. Chairman, I have no further requests for time.

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

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

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

The CHAIRMAN. Under the rule, title I through title VIII of the committee substitute printed in the reported bill will be read for amendment under the 5-minute rule. The rule also provides that title IX shall be considered as read and that no amendments are in order to that title of the committee substitute except amendments offered by direction of the Committee on Ways and Means.

The Clerk will read.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Rail Passenger Service Act of 1970".

Mr. STAGGERS. Mr. Chairman, I move that the Committee do now rise.

The motion was agreed to.

Accordingly the Committee rose; and the Speaker, having resumed the chair, Mr. BURLESON of Texas, Chairman of the Committee of the Whole House on the State of the Union, reported that that Committee, having had under consideration the bill (H.R. 17849) to provide financial assistance for and establishment of improved rail passenger service in the United States, to provide for the upgrading of rail roadbed and the modernization of rail passenger equipment, to encourage the development of new modes of high-speed ground transportation, to authorize the prescribing of minimum standards for railroad passenger service, to amend section 13(a) of the Interstate Commerce Act, and for other purposes, had come to no resolution thereon.

AUTHORIZING SPEAKER OF THE HOUSE AND PRESIDENT OF THE SENATE TO SIGN ENROLLED BILLS AND JOINT RESOLUTIONS NOTWITHSTANDING ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the concurrent resolution (H. Con. Res. 775) authorizing the Speaker of the House and the President of the Senate to sign enrolled bills and joint resolutions notwithstanding the adjournment of Congress from October 14 to November 16, 1970, with Senate amendments thereto, and concur in the Senate amendments.

The Clerk read the title of the concurrent resolution.

The Clerk read the Senate amendments, as follows:

Page 1, line 3, strike out "House" and insert "Congress".

Page 1, line 4, after "Senate" insert ", the President pro tempore, or the Acting President pro tempore,".

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

There was no objection.

The Senate amendments were concurred in.

A motion to reconsider was laid on the table.

AUTHORIZING TO RECEIVE MESSAGES FROM SENATE NOTWITHSTANDING ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that, notwithstanding any adjournment of the House until November 16, 1970, the Clerk be authorized to receive messages from the Senate.

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

There was no objection.

AUTHORIZING PRINTING OF REPORTS FILED WITH CLERK FOLLOWING ADJOURNMENT BY COMMITTEES AUTHORIZED TO CONDUCT INVESTIGATIONS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that reports filed with the Clerk following the adjournment of the House until November 16, 1970, by committees authorized by the House to conduct investigations may be printed by the Clerk as reports of the 91st Congress.

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

There was no objection.

AUTHORIZING SPEAKER TO ACCEPT RESIGNATIONS, APPOINT COMMISSIONS, BOARDS, AND COMMITTEES NOTWITHSTANDING ADJOURNMENT

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until November 16, 1970, the Speaker be authorized to accept resignations and to appoint commissions, boards, and committees authorized by law or by the House.

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

There was no objection.

DISPENSING WITH BUSINESS IN ORDER UNDER THE CALENDAR WEDNESDAY RULE ON WEDNESDAY, NOVEMBER 18, 1970

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the business in order under the Calendar Wednesday rule on Wednesday, November 18, 1970, may be dispensed with.

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

There was no objection.

HOUR OF MEETING ON TOMORROW

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that when the House adjourns today it adjourn to meet at 10 o'clock tomorrow.

Mr. HALL. Mr. Speaker, reserving the right to object, may I inquire of the distinguished majority leader why this request comes, and at this particular time?

Mr. ALBERT. Mr. Speaker, if the gentleman will yield, we have three bills that are up for consideration tomorrow, and there may be other minor matters. It is only to accommodate the membership so they will not have to stay around for a late session tomorrow night. That is the only reason. There is no special reason.

Mr. HALL. I would like to point out to the distinguished majority leader it may accommodate the membership as a whole, but it raises havoc with committees that are scheduled and people and witnesses who have planned to appear before those committees in the morning.

Mr. ALBERT. Mr. Speaker, if the gentleman will yield further, of course, I normally do not like to make this request. I was of the opinion that at this stage of the game there probably would not be many committee sessions.

Mr. HALL. I can only speak from my own personal experience, Mr. Speaker. It certainly involves me in two different instances insofar as subcommittees of the Committee on Armed Services are concerned.

Mr. ALBERT. Would the gentleman from Missouri be less inclined to resist if we made it 11 o'clock, and if there were committee meetings, they could at least do 1 hour's work?

Mr. HALL. I would be very much less inclined to object.

Mr. ALBERT. Mr. Speaker, I change my request and ask unanimous consent that when the House adjourns today it adjourn to meet at 11 o'clock tomorrow.

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

Mr. PICKLE. Mr. Speaker, reserving the right to object, I was not on the floor, but as I understand it one of the

bills that might be scheduled tomorrow is the manpower legislation?

Mr. ALBERT. The gentleman is correct.

Mr. PICKLE. Is it anticipated that the bill will be brought up and be voted on to conclusion tomorrow?

Mr. ALBERT. That is my understanding.

Mr. PICKLE. Mr. Speaker, further reserving the right to object, how much debate is allowed on this issue?

Mr. ALBERT. It has a 2-hour rule.

Mr. PICKLE. I would not want to certainly interfere with the plans but this is a matter which has met with considerable objection, at least from my State level, and I was hoping that we might have considerable time to go into it. But if you bring it up tomorrow and in 2 or 3 hours dispose of it, we might not have an opportunity to really hear from the various State agencies and mine in particular.

Mr. ALBERT. Well of course it has been programed since last week. The 2-hour limitation only affects general debate. It does not affect the 5-minute rule and amendments offered thereunder during the consideration of the bill.

Mr. PICKLE. Mr. Speaker, I was in the hope that it might be carried over until after the recess, but the plan now is to take it up tomorrow?

Mr. ALBERT. That is the plan.

Mr. PICKLE. Mr. Speaker, I withdraw my reservation of objection.

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

There was no objection.

TRIBUTE PAID TO DR. M. D. MOBLEY

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

Mr. LANDRUM. Mr. Speaker, recently, on August 11, Dr. Jack P. Nix, the distinguished and able superintendent of schools for the State of Georgia, paid tribute to Dr. M. D. Mobley at the unveiling ceremony of an oil portrait donated by his family at the building named in his honor at the Georgia FFA–FHA youth camp. Dr. Mobley was the forceful executive secretary of the American Vocational Association for many years and his personal visits and expert committee testimony will be recalled by many Members of the House of Representatives and the Senate, so I believe many of you will be interested in the remarks of Dr. Nix. They follow:

SPEECH BY JACK P. NIX

Farmer, teacher, state supervisor, teacher educator, state director, executive secretary, author, editor, orator, politician and humanitarian are all terms that fit the description of M. D. Mobley's career in public education. We in Georgia are honored that his career began in this state.

Mayor Dennis Mobley was born on May 2, 1899, on a small farm in Paulding County, Georgia. It was his love of the land and his desire to work with people that prompted him to study to be a teacher of vocational agriculture. After completing work for a B.S. degree in agriculture at the University of Georgia, he served as a teacher of agriculture for five years. He then served as associate professor of agriculture at the University of Georgia for two years. In 1928, he was made assistant state supervisor of agricultural education. This was the year he organized the Future Farmers of America in Georgia and became the first state advisor.

In 1930 Dr. Mobley earned the Master of Science Degree at Cornell University and returned to Georgia where he was assigned new duties as assistant state director of vocational education. In 1936 he was named state director of vocational education—supervising and directing all phases of vocational education, including vocational agriculture, home economics, trades and industry, distributive education and occupational guidance.

Dr. Mobley's unique sense of timing, of protocol and the need for action functioned perfectly to motivate his statesmanship in vocational education. It was during his tenure as state director that a new outlook for vocational education developed.

This man experienced the value of vocational education himself and found that the program reached into the very heart of America's greatness—the dignity of the individual. This is perhaps a clue to his successful career, for he never lost sight of the fact that vocational education is highly socio-economic in in its orientation—it helps people to find jobs in which they can succeed and it does in fact raise the standard of living.

One of Dr. Mobley's talents was his ability to get to know people and to establish the most cordial of relationships—personal and professional.

He had a warm relationship with legislators, Governors and others in state government and never failed to put his shoulder to the wheel for vocational education.

It was because of Dr. Mobley's outstanding leadership and devotion to vocational education that he was asked to serve as executive secretary of the American Vocational Association in 1951. Even though we in Georgia lost him at the state level, there was never any doubt that vocational education nationally would benefit from having this great man as a leader.

It has often been said that the great asset of the American people is not their tremendous natural wealth but their ability to organize and utilize the country's human resources. The Mobley talent in organizing the human resources of AVA members was without equal. He could muster the right team on a moment's notice for any occasion and he could urge the team into action.

For 30 years, beginning with the George-Deen Act, M. D. Mobley was personally involved in every bit of vocational education legislation—the bills and the appropriations. Members of Congress consulted with him frequently on a variety of measures. His reputation as "Washington's most successful lobbyist" was well founded.

Four Presidents and a decade and a half of Senators and Representatives learned that when they got the word from Dr. Mobley, it was the truth. In every session of Congress, committee hearings on education at one time or another take up the matter of vocational education. Dr. Mobley provided the committees with personal testimony from vocational educators throughout the nation. The points of view of teachers, supervisors, local directors, state staff personnel, university professors and in fact, of every facet of vocational education were provided for these committees; Dr. Mobley saw to it that vocational education problems were examined in depth. This approach, the committees liked.

Of course Dr. Mobley was "on call" for testimony and supporting documents whenever individual Congressmen or committees desired to review some particular aspect of vocational education and its related problems. On one occasion, when cuts in vocational education funds were under consideration, Dr. Mobley was asked to comment on the effect a small cut would have on vocational education. He told this story.

"One morning the circus was unloading its 10 elephants at the railroad station. They moved out of the railroad yard single file, with each elephant holding by its trunk to the tail of the one ahead. Before the last elephant could cross the mainline track, a fast express hit him broadside. Now you could rationalize that the owner lost only 10 percent of his elephants—that isn't much—he still had 90 percent of them left. But, Mr. Senator, when that train hit the last elephant the impact was so hard that it jerked the tails out of the other nine."

The cut was restored.

Dr. Mobley had a deep and abiding interest in international education and was a participant in the international program of vocational education. Shortly after World War II he was a consultant to the War Department in Georgia; for several months in 1957 he served as consultant in Pakistan. His contribution to international education included service in India, Thailand, the Philippines and Jamaica. He was called to Turkey to review a plan for the re-development of vocational education in that country. He never doubted that vocational education is essential to the social and economic development of the nations of the world and encouraged the participation of vocational educators of the United States in international programs of education.

There is no end to the honors that have been extended to M. D. Mobley. He worked with educational groups in all but two of the 50 states; his membership on committees and commissions was long indeed. Metal plaques and printed citations by the dozens accord him honor. This FFA–FHA Camp is living tribute to this great American and the genuine love he had for people—especially young people. I think perhaps the last time he visited the Camp was in 1960 when he took part in an open house program. Those of you who were in attendance that day may recall how he told with deep emotion of his pride in the Camp and in the youth of this State. I think it is only fitting that his portrait should hang in this building bearing his name to remind boys and girls and other visitors to the Camp of M. D. Mobley's true devotion to his state, his nation and to all mankind.

He truly made the world a better place in which to live because he had the privilege of living in it. I am confident this was his ultimate goal in life and he attained his goal.

Dr. Mobley's philosophy was summed up in this poem, "A Boy," Author unknown.

"A BOY

"I took a piece of plastic clay
And idly fashioned it one day;
And as my fingers pressed it still
It bent and yielded to my will.
I came again when days were past
The bit of clay was hard at last;
My early impress it still bore
And I could change its form no more.

"You take a piece of living clay
And gently form it day by day;
Moulding with your power and art
A young boy's soft and yielding heart.
You come again when years are gone
It is a man you look upon
Your early impress still he bore
And you can change him nevermore!"

(Author unknown.)

This was M. D. Mobley.

WORLD LAW DAY—NOVEMBER 25

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

Mr. PODELL. Mr. Speaker, I am introducing a resolution today asking the President to designate November 25 as World Law Day. The proclamation initiating World Law Day has already been passed by the United Nations General Assembly, and ceremonies are scheduled to be held in Paris in cooperation with the Center for World Peace Through Law and UNESCO. By giving due recognition to this day, this Congress and the President would be demonstrating America's firm support for the principles behind this important effort.

In the context of recent international and domestic events, we might perhaps ask whether such a proclamation can have any meaning. When citizens can be harassed and their lives endangered by the act of a few individuals consumed by hate and bent upon willful destruction, should we give recognition to something called World Law Day?

I say that it is because of these violent events that World Law Day must be made to have meaning. We must realize that man does not live merely for the present. Indeed, one of the things that has kept civilization alive in its darkest hours is the hope for a better future. Very often, this hope for a better future was intimately tied to the hope for the rule of law. Today, there is this same hope, and it revolves around the rule of law—with the important qualification that this law be just.

The specific thrust of the resolution emphasizes the need for legal education. It has long been recognized that a well-trained and adequate-sized legal profession is mandatory for peaceful and orderly development within a society. It is further recognized that rights of individuals can be guaranteed only where the rule of law exists. Given this context, I believe that we must insure the existence of a well-trained legal profession.

Yet today, there are ill winds in our society. Many feel that we have been moving further away from adherence and respect for the law. Rather, it appears that more people are showing more overt contempt for our legal system than ever before. The reasons for this are not inherently obvious, but some hypotheses may be offered.

It may be that acts which coerce obedience from a man by unlawful means is by definition an act of oppression. Our criminal justice system, for example, in an attempt to coerce this type of obedience may actually destroy any respect for the legal system. The fact that 70 percent of all crime in this country is committed by recidivists—those individuals who at some other time had a run-in with the law—seems to demonstrate that something is seriously wrong with the process by which we are trying to instill some respect for a code of legal justice.

At the same time, the work of the law enforcement official is crucial for the preservation of our society. The law itself must be vigorously enforced, for to do otherwise would be to enforce license in our society. Where law is not enforced in a society, the society in question is signing its own death warrant.

When then is the reconciliation between these two needs which seem polar opposites? The answer is difficult, but it seems to lie somewhere in the principles contained in World Law Day. The legal system as we know it in this country remains basically invisible until there is the necessity for some sort of confrontation between an individual and the processes that comprise the system. Problems arise when the individual suddenly becomes caught up in the process.

Inherent in a democratic society should be the devising of methods for involving members of the community in order to make known the machinery for handling complaints. These methods do not exist today. Here the lawyer and the law enforcement official can work together to educate and give the people confidence in the processes involved in criminal justice. They can act to insure that the complaints be handled properly and speedily.

The recent riots in New York's prisons seem to demonstrate that these complaints are not being handled adequately. Right to counsel, speedy trials, better living conditions, and bail reform are just some of the grievances expressed by the prisoners.

What we must recognize is the rectification of these injustices is intimately tied to the ultimate goal of respect for the law and that the latter will follow from the former. We must demonstrate, if our system is to have any meaning in the future, that justice does work, and does not infringe upon individual liberties and detract from personal self-respect in the process.

It is in this context that I am introducing the resolution to recognize November 25 as World Law Day. Although our society is far better than most systems in the world community of nations, it is far from perfect. World Law Day may provide the context for some closer scrutiny of our own system.

A man trained in the law can be instrumental in bringing about any needed reforms. He needs to be given sufficient enforcement and trust. The passing of this World Law Day resolution would provide this recognition.

PUBLIC SERVICE BY DRUG FAIR DRUGSTORES

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

Mr. PEPPER. Mr. Speaker, it is sad but true that this body's Select Committee on Crime, which I have the honor of serving as chairman, has of late had few kind words for those in the drug industry. Our extensive hearings into the problem of drug abuse has shown that legitimate businesses often contribute, usually unknowingly, to the problem by supplying the drugs or materials used to package them.

We have found, for example, that ethical drug companies produce millions more amphetamines than are needed to fulfill the legitimate need. And, as our hearings in New York and those in Washington have shown, pharmaceutical firms often find themselves in the position of being suppliers of empty gelatin capsules, dextrose, lactose, and quinine to heroin pushers.

Therefore, I was particularly pleased when I saw in yesterday's edition of the Washington Post a full-page advertisement headed: "Parents—we think you should know as much about drugs as the average pusher."

This advertisement, published as a public service by Drug Fair, the Washington-based drug chain, is a lucid explanation of the kinds of drugs used today and the various symptoms they cause. It is a highly valuable piece of public service advertising and I am sure that many of the newspaper's readers learned a great deal. Since education is one of the most important tools in the fight against drug abuse, I must say that Drug Fair, and Dr. Milton L. Elsberg, president of the company, are in the front lines of the fight.

I might add that during our heroin paraphernalia hearings here last week, we called a representative of Drug Fair in order to clearly establish for the record that no legitimate drugstore needed the No. 5 gelatin capsules used to package heroin. Drug Fair does not sell these capsules, and they do not sell them because they know what they are bieng used for. This, Mr. Speaker, seems to me to be just the kind of public-spirited attitude on the part of businessmen that can materially help to solve our Nation's problems.

That Drug Fair spent about $3,000 of its own money to help alert citizens to the dangers of drug abuse strikes me as an attitude worthy of emulation by other businesses.

Mr. Speaker, so that my colleagues may share this fine advertisement, I include it in the RECORD at this point:

PARENTS—WE THINK YOU SHOULD KNOW AS MUCH ABOUT DRUGS AS THE AVERAGE PUSHER

Sometime soon you're going to have to talk to your teenagers about drugs. The sooner the better. We hope this page gives you something to start talking about. Because we want you to get to your kids. Before someone else does.

THE OPIATES

When most people refer to "narcotics" this group of drugs is what they are talking about. Opiates are used medically as pain killers. On the street they cause pain for the user and society in general.

Opium: A white powder from the unripe seeds of the poppy plant. Opium can be eaten, but it is usually smoked in an opium pipe.

Morphine is extracted from opium. It is one of the strongest medically used pain killers, and is strongly addictive.

Heroin: This strongly addictive drug is prepared from morphine. Outlawed even from medical use, heroin is the most commonly used drug among addicts. It can be sniffed, injected under the skin, or into a vein. Street slang for heroin includes "scag," "smack," "H," or "junk."

"On the Nod" or nodding. The state produced by opiates. Like being suspended on the edge of sleep.

Mainline or "to shoot up"—injecting a drug into a vein.

"A Hit": Street slang for an injection of drugs.

Works: the apparatus for injecting a drug. May include a needle, and a bottle cap or spoon for dissolving the powdered drug.

A Fix: one injection of opiates, usually heroin.

Junk: heroin, so named because it is never pure as sold on the street.

Junkie: an opiate addict.

Skin Popping: to inject a drug under the skin.

A Bag: packet of drugs, or a single dose of an opiate. Amount of the drug in the bag is denoted by price, a nickel bag ($5), a dime bag ($10).

"Cold Turkey" describes the withdrawal that occurs after repeated opiate use. The addict can become irritable, fidgety, perspiration increases, there is a lack of appetite. The main problem in discontinuing opiate use is not *getting* off the drug, it's *staying* off.

Track: scars on the skin left from the repeated injection of opiates.

Overdose: cause of over 200 teenage deaths in New York City last year. Death is caused because the part of the brain that controls breathing becomes paralyzed.

Addiction: physical dependence on a drug, so that when the drug is taken repeatedly, and stopped suddenly, physical withdrawal occurs.

THE STIMULANTS

These drugs stimulate the system, or make a person more lively. While they are not physically addictive like the opiates, they produce a psychological dependence or craving.

Amphetamines: these stimulants are taken in tablet or capsule form, or injected into the blood stream. Among the widely used amphetamines are:

Dexedrine—or "dex" or "dexies".
Benzedrine—or "bennies".
Methedrine—or "speed"
or "crystal meth".
Biphetamine—or "footballs".

Speed Freak: person who repeatedly takes amphetamines or "speed," usually intravenously.

Mental Effects of "Speed": amphetamines produce a decreased sense of fatigue, increased confidence, talkativeness, restlessness, and an increased feeling of alertness. As dosage increases amphetamines can produce irritability, distrust of people, hallucinations, and amphetamine psychosis.

Amphetamine Psychosis: a serious mental illness caused by overdoses or continued use of amphetamines. The person loses contact with reality, is convinced that others are out to harm him. The most frightening part—this psychosis sometimes continues long after the person has stopped taking the drug.

Rush: the brief heightened state of exhilaration at the beginning of a high.

Crashing: withdrawal from amphetamines, the swift descent from an amphetamine high to severe lows of depression.

Cocaine: another kind of stimulant, derived from cacoa leaves. It is sniffed as a white powder, or liquefied and injected into a vein. It produces a fast and powerful feeling of elation. Cocaine does not produce physical dependence (addiction), but does produce a strong psychological craving.

Coke: street slang for cocaine.

PSYCHEDELICS

The medical classification of all mind altering substances. "Phychedelics" change a persons perception of his surroundings.

Hallucinogens: Those psychedelics which cause hallucinations.

LSD: probably the most powerful psychedelic. Reactions to LSD are extremely unpredictable. Distortions in time and space. Brighter colors. Vivid sounds. Feelings of strangeness. A sense of beauty in common objects. Sometimes fear and panic. Sometimes even psychosis.

Flashback: a user can be thrown back into the LSD experience months after the original use of the drug. Other possible risks of LSD, which are being thoroughly researched, include brain damage and chromosome breakage.

Acid: a slang term for LSD. A frequent LSD user is an "acid head."

Drop: to take any drug orally. LSD is usually dissolved in water, and may be placed on a sugar cube. The term is to "drop acid."

DMT: a powerful psychedelic prepared in the laboratory as a powder or liquid. It is usually injected into the vein or smoked along with marihuana or in cigarettes.

Psilocybin: this psychedelic comes from a mushroom. It is less potent than LSD and takes a larger dose to get the effect.

Peyote: from the peyote cactus, causes pronounced visual effects. It is used in a religious ritual by some Southwestern U.S. and Mexican Indians and its use in these rituals is legal.

Mescaline: "mesc" is the common name for this drug which also comes from the peyote cactus. Stronger than peyote itself, mescaline also causes vivid visual impressions.

DOM: called STP by users. The effects of STP can last for two or three days.

Marihuana: the crushed and chopped leaves and flowers from the hemp plant. Sometimes smoked in cigarette form. Sometimes smoked in pipes. Reactions can be: a giddy feeling like drunkeness; changes in perception and mood; feelings of well-being or fear; and possibly hallucinations. Slang terms for marihuana are "grass" or "pot".

Joint: a marihuana cigarette.

Roach: the butt end of a joint.

Stoned: describes the intoxicating effect of marihuana, or really any drug, or alcohol.

Hashish: called "hash". Also prepared from the flowering tops of the hemp plant. Hashish is smoked in a pipe or taken orally, and is more powerful than marihuana.

THC: tetra hydro cannabinol. Purified extract of the resin of the hemp plant. Also made in the laboratory. It is thought to be the substance in marihuana and hashish that causes the mind altering effects of these substances.

Trip: a name for the reaction that is caused by a psychedelic drug. A bummer is an unpleasant or frightening trip.

Head: someone who uses drugs frequently.

THE DEPRESSANTS

The category of drugs that depresses the functions of the brain.

"Downs": street slang for depressants.

Alcohol: ethyl alcohol, a depressant because it slows the functions of the brain that control thinking and coordination. In high doses it produces drowsiness and sleep. Alcohol is an addictive drug, since after prolonged or continued use, it can cause physical dependence (alcoholism), and when discontinued, causes withdrawal symptoms at least as serious as the other addictive drugs.

Barbiturates: these drugs are in the group called sedatives—medicines to make you sleepy. Barbiturates are taken in capsule or tablet form. They cause physical dependence (addiction), and after repeated use, physical withdrawal does occur when these drugs are discontinued. Among the common commercial names for barbiturates are: *Seconal* or "red devils," *Nembutal* or "yellow jackets," *Amutal* or "blue havens" or "blue-devils," *Luminal* or "purple hearts," *Tuinal* or "rainbows" or "double trouble."

Barbiturate Overdose: more people in the United States die as a result of an overdose of barbiturates (usually suicide) than of any other single substance.

Intoxication: sedative or tranquilizer intoxication is similar in its symptoms to alcohol intoxication. Driving while intoxicated can be extremely dangerous, and is thought to cause at least 25,000 traffic fatalities a year.

Tranquilizers: drugs that calm tension and anxiety. These drugs do not cause sleep except in high doses. Tranquilizers are taken in capsule or tablet form. Some common commercial names for tranquilizers are: *Equanil, Milltown, Librium,* and *Valium.*

INHALANTS

Among substances which are inhaled and produce a high are: glue, gasoline, lighter fluid, and refrigerants. Continued inhaling has been reported to cause severe anemia, liver damage, brain damage, and death.

Prepared as a public service for the Boston Globe in consultation with David C. Lewis, M.D. Dr. Lewis is the author of *The Drug Experience: Data for Decision-Making,* a course for schools and community groups, published by CSCS, Inc., Boston.

Published as a public service by Drug Fair.

FOOD STAMP PROGRAM HAS BECOME DISTORTED

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

Mr. GOODLING. Mr. Speaker, I am distressed over recent reports announcing that Federal food stamps are being handed out to some 30,000 striking members of the United Auto Workers who are striking against General Motors in Detroit.

I was the only Congressman who offered minority views in House Report No. 91–1402, the report relating to H.R. 18582, amendments to the Food Stamp Act of 1964, and, frankly, I was feeling a little lonely. Now, it is interesting to note, many of my colleagues are taking another look at this food stamp program and wondering if the program is sound. In addition, I am beginning to receive mail in my congressional office speaking out against issuing food stamps to strikers. I am no longer feeling quite so lonely.

Mr. Speaker, there is not a Member in this House of Representatives who objects to any deserving individual receiving assistance under the food stamp program, and originally the plan was conceived to help those who were confronted with economic distress because of no fault of their own. When a person goes on strike, however, he does it of his own free will or in accord with the dictates of his union, and his unemployment occurs not because of misfortune but rather through choice.

Frankly, I object to such use of food stamps for two reasons. First, it is a doctrine basic to our American system that the Federal Government should not play any favorities. Uncle Sam is obligated to treat all of his citizens alike. Under this program where food stamps are being handed out to strikers, however, the Federal Government is abandoning the theme of equal treatment and is being partial to the striker over the employer. In short, the Federal Government is taking sides. This raises the serious question of whether or not General Motors should not expect special treatment from the Federal Government for any losses resulting from this strike.

Second, we must remember that there is one person footing the bill for the food stamp program, and that is the taxpayer. Should one taxpayer who is, by choice, gainfully employed be expected to subsidize another taxpayer who is, by choice, unemployed? I have received

letters from taxpayers who strenuously object to this, one of which stated as follows:

They say the workers in Detroit need help because their income has stopped. Well, that is too bad. Let them go back to work.

Over and above all of this, such use of food stamps can act to prolong the automobile strike and, in the process, visit an economic negative on our total economic structure. For instance, one worker paid $18 and received stamps with which he can buy $162 worth of groceries, and he was prompted to say:

They can't starve us out now that we're getting these food stamps. We can go on forever.

Such a use of food stamps also shatters the concept of collective bargaining, where each party to a labor dispute is supposed to use his own competence in effecting a resolve of the problem. Collective bargaining becomes protective bargaining under this arrangement.

Mr. Speaker, the food stamp program has become distorted as I feared it might. It is incumbent on us, as legislators, to right this wrong. I will continue in the present and future, as I have in the past, to attempt to restore the program to its proper "assistance to the needy" form, which was the program's original concept.

DISTRICT OF COLUMBIA STADIUM IS HUGE FINANCIAL MILLSTONE

The SPEAKER. Under a previous order of the House, the gentleman from Iowa (Mr. GROSS) is recognized for 15 minutes.

Mr. GROSS. Mr. Speaker, some may recall that from time to time over the years I have risen in this Chamber to protest the unconscionable use of the taxpayers' money to build a sports arena here in Washington that benefits only the local residents.

I warned many years ago that the District of Columbia Stadium—since renamed—would be a huge financial millstone around the necks of both the residents of the District of Columbia and the rest of the taxpayers across the Nation whose money so heavily subsidizes the government of this city.

Now, Mr. Speaker, we have the latest and perhaps the most brazen of the attempts to make the long-suffering wage earners elsewhere in the country pay for this local sports palace.

I refer, of course, to the pitiful bleats emanating from the wealthy owner of the Washington Senators, Robert E. Short.

It seems that Mr. Short—incredibly—wants the Congress to subsidize a major league baseball team and, not coincidentally, to bail him out at the same time.

Well, I, for one, am at the end of my patience with this sort of thing.

The taxpayers of the Third District of Iowa have had their pockets picked to subsidize ballet dancing and concerts on the banks of the Potomac, and to help build a sports stadium at the other end of town and now here we have an arrogant demand—beefed up by a bald-faced blackmail threat—that they help pay the freight for a baseball team that never plays any closer to their homes than Milwaukee.

Mr. Short has been running his business in exactly the same way that certain politicians have been runnning this country for the last decade—constantly spending far more than was coming in.

The result—as I and a few others have predicted—is financial calamity.

If Mr. Short chooses to run his business in such a fashion, that is strictly his affair and absolutely none of mine.

But when he attempts to saddle the Nation's taxpayers with the result of his folly, it is time to inform him that he has just struck out.

TAKE PRIDE IN AMERICA

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a Nation. Total horsepower of all prime movers—such as mechanical engines and turbines—in the United States from 1940–69 increased from 2,773 million to 18,781 million.

CONGRESSMAN WHALEN SUPPORTS THE PRESIDENT'S VETO

The SPEAKER. Under a previous order of the House, the gentlemen from Ohio (Mr. WHALEN) is recognized for 5 minutes.

Mr. WHALEN. Mr. Speaker, it was with great reluctance that I voted against S. 3637 on September 16. I say this because there is a great need to keep political campaign spending within reasonable bounds. Candidates for public office should not be in a position to buy their election through the expenditure of huge sums of money for media exposure.

Unfortunately, S. 3637 fails to achieve this objective. Further, as passed by Congress, it discriminates against certain types of media and is inequitable in its treatment of nonincumbent candidates.

Specifically, I vote against S. 3637 for three reasons.

First, it limits television and radio advertising but places no restriction upon expenditures for billboards, direct mail, newspaper advertisements, and other forms of solicitation.

Second, total advertising expenditures are not limited. Thus, the wealthy candidates, or the office seeker who has substantial financial backing, can increase his use of other media to compensate for the limitation which S. 3637 imposes on radio and television advertising.

Third, S. 3637 is obviously a proincumbent bill. During their tenure in office, most incumbents receive literally thousands of dollars of free radio and television exposure. Then, as election day draws near, the incumbent's adversary is piously told, in effect:

Despite the fact that your opponent has received thousands of dollars of free coverage during the past 21 months, you are prohibited by law from attempting to compensate for his advantage.

I am pleased to note that on October 12, President Nixon, for substantially the same reasons, vetoed S. 3637. I plan to vote to sustain the President's veto if, and when, this measure reaches the House floor.

THE PRESIDENT'S VETO OF THE POLITICAL BROADCASTING ACT

The SPEAKER. Under a previous order of the House, the gentleman from Delaware (Mr. ROTH) is recognized for 5 minutes.

Mr. ROTH. Mr. Speaker, I would like to express my regret that the President has seen fit to veto S. 3637, the Political Broadcasting Act. For 45 years Congress has wrestled with the problem of how to legitimately control expenditures in political campaigns. With the advent of television campaign broadcasting the cost of political campaigns has increased at an unprecedented pace. In 1967 every witness appearing before the Senate Finance Committee lamented the fact that campaign spending was getting out of hand. My colleagues will recall that those hearings were held subsequent to the Senate's shelving of the Presidential Campaign Fund Act passed a year earlier.

We in Congress became even more aware of the incredible and awesome proportions of campaign spending following the 1968 elections. The best estimates we have indicate that somewhere around $300 million was spent by political candidates at all levels in that year. This figure represents a 50-percent increase over expenditures in 1964, which were estimated at $200 million. Since 1952, the first year for which we have anything approaching a reasonable estimate, campaign expenditures have increased by more than 100 percent. Returning to 1968, we have a firm estimate of about $100 million being spent on the presidential election alone. Included in that figure are expenditures prior to the national conventions.

We know that a major contributor to soaring costs is television and radio advertising. On the basis of reports made to it by the media, the Federal Communications Commission reported that $58.9 million was spent on political broadcasting activities related to elections in 1968, a 70-percent increase over comparable 1964 figures. Television broadcasting accounted for 64.5 percent of the 1968 total.

The Political Broadcasting Act was not a perfect bill, but it was a start, the proverbial foot in the door. For this reason, I must take exception to the President's veto.

We are in an era of institutional reform and this legislation was a reform greatly needed.

CAMPUS SPEAKERS TURNED FUGITIVE

The SPEAKER. Under a previous order of the House, the gentleman from Ohio (Mr. ASHBROOK) is recognized for 30 minutes.

Mr. ASHBROOK. Mr. Speaker, on scores of occasions over the past decade I have cited the peril to our domestic order contained in the very small but effective coalition of Communists and radi-

cal leftists on American campuses. Utilizing the confrontation device, these radicals have made many college administrators back down in face of administration building takeovers, guns on campus, and even seizure of administration officials.

The Communist and radical leftist speaker on campus has been a particular problem. They have inflamed many of our youth to actions which have directly or indirectly resulted in arson, property destruction, college shutdown, and possibly even death. Who is to say which particular match lit the fuse but it is clear that fomenting violent action has been the major goal of many of these purveyors of social unrest.

Take Kent State University, for example. Jerry Rubin spoke a short time before the student radical action resulted in the deaths of four. His rhetoric was inflammatory. He said, in part:

> We have to disrupt every institution, break every law, we've got to become criminals. Work is a dirty word. I don't work. You are not a real revolutionary until you are prepared to kill your parents. The first oppressors are your parents.

Yes, as he said, "we've got to become criminals." Many of his fellow leftists have done just that.

Yale congratulated itself for a nonviolent weekend last May 1 when Black Panther leader David Hilliard spoke. Overlooked was the obscene, violent denunciation of our society in his speech. That according to the Yalies did not count. But it does count—it all takes its toll, it all adds up to the situation we now have.

The highly controversial report of the President's Commission on Campus Unrest covered the campus speakers issue in a not unsurprising fashion. Reiterating the permissive policies of acquiescing school administrators, the Commission recommended that private as well as public universities "should not impose restrictions on meetings or rallies or marches that almost any court would strike down, such as bans on "subversive" speakers or on those "who advocate overthrow of the Government by force and violence." According to the Commission the Eldridge Cleavers, Jerry Rubins et al should be permitted to vent their spleens before student audiences, tearing down our historical traditions and urging any form of violence. To this, most Americans say "bunk." As one American, I certainly say this report is permissive bunk at its worst.

HIGH PAID AGITATORS

More and more Americans are coming to understand the problem concerning the militant on campus. What most Americans do not understand is that high priced honorariums paid by colleges have fed these radicals and provided a major source of revenue to them in their battle to bring down the establishment, in effect, the very colleges feeding them. In one case in my own area, for example, a militant was paid over $1,000 to deliver a slanderous and obscene tirade in a campus chapel, no less, while a patriotic American in the same series of speeches was offered a $50 honorarium. Why do colleges seem bent on subsidizing the militant?

Many of these fashionable leftist militants are now fugitives from justice. Last year's smash hits on the campus are now in the most wanted list of the FBI and our law enforcement officials. How well I remember the criticism from liberals in my own district when I spoke out against Angela Davis, a Communist, being allowed to teach in California. Freedom of speech and academic freedom was the cry of these protesting professors. Now Miss Davis is a fugitive from justice after a murder of a California judge implicated her and her associates.

I heard Eldridge Cleaver on campus once. It was so obscene and disgraceful that my remarks here could not possibly convey his sick invective to the youth who heard him. Cleaver is now a fugitive from justice. Do not these liberals ever learn? Bernardine Dohrn and Mark Rudd were big drawing cards on campus for many months but both are now fugitives from justice.

The House Committee on Internal Security conducted a limited staff inquiry into campus speakers and has developed a most interesting document regarding the popularity of the New Left speakers on campus. It indicates clearly that these speaking engagements, in addition to providing an opportunity to foment contempt for our institutions and even violence, provided a good source of income to them.

Alumni would be well advised to check their own alma maters and see who is being paid what. Why do the colleges feel it necessary to subsidize these militants? What sort of logic drives them to build up those who would tear their very institutions down? I do not profess to know what drives them to do this but I do understand the phenomenon and include some of the speakers in these remarks.

There is now an effort to divert the blame to those who do not condone violence or advocate it. This is a typical ploy and cannot succeed. There is no way the Jerry Rubin, Angela Davis, Eldridge Cleaver, and Mark Rudd crowd can make the President Nixon and Vice President Agnew-type Americans the blame for the violent actions they themselves advocated and, in some cases, perpetrated themselves.

THE VICE PRESIDENT'S ROLE

At the conclusion of the confrontation between Vice President AGNEW and the students first telecast on September 25 on "the David Frost Show," the Vice President destroyed the charge that his rhetoric was a major element in causing campus agitation and violence. He pointed out that he was still back in county government when the Berkeley campuses exploded several years ago. President Nixon, he added, had not been even inaugurated when Columbia University had its share of campus trouble. Mr. AGNEW ended the exchange with the students with these words:

> Now, to use me as some convenient bete noire for the violence that's existed in this country because of the disgusting permissive attitudes of the people in command of the college campuses is one of the most ridiculous charges that I've ever heard.

Of course, the Vice President put in perspective the 10-year buildup of student agitation and violence which began with the advent of the 1960's a 10-year build up I have pointed out along the way, from the Free Speech Movement of the early 1960's to now. The Students for a Democratic Society was in its first year of existence when student riots erupted in May 1960, in San Francisco at hearings of the House Committee on Un-American Activities. In June, 1961, FBI Director J. Edgar Hoover warned of the modus operandi which made the student riots a success in the eyes of members of the Communist Party USA:

> A most significant single factor surrounding the mob demonstration was the Communist infiltration of student and youth groups engaged in protest demonstrations against this congressional committee. Through this infiltration, Communists revealed how it is possible for only a few Communist agitators, using mob psychology, to convert peaceful demonstrations into riots.

As the decade of the 1960's progressed the CPUSA gave way to other revolutionary types, but their pattern of disruption was adopted by other more youthful agitators and demagogs. In 1962, several years before the SDS was to capture the headlines, the Progressive Labor Party was founded by extremists who broke away from the CPUSA. More disciplined than the later free-wheeling activities of the SDS, the PLP seized upon situations ripe for violence as revealed by its role in campus violence and disturbances and by its attempted takeover of the SDS during its national convention in June 1969 at Chicago, Ill.

Until its split in 1969, the SDS provided the main thrust of the new left movement. At its zenith it claimed 225 chapters and a membership of 40,000. The radicalism of SDS reached its height at the demonstrations it sponsored in Chicago in 1969 to protest the trial of the "Chicago Eight," those individuals who were placed on trial for their disruptive activities during the Democratic National Convention in August 1968. Leaders of one militant faction of the SDS known as the Weatherman group sponsored a series of violent demonstrations in which extensive vandalism and numerous injuries resulted and which culminated in the arrest of 275 individuals, including Mark Rudd, the leader of the Weatherman faction. This is the organization which for a number of years had been plying its message of nihilism and anarchy on college campuses, contributing immensely to the buildup of radicalism in educational institutions across the country.

While SDS has lost its effectiveness as an organized effort, other groups are still on the scene to infect impressionable youth of college age.

Like the PLP, the Social Workers Party—SWP—was formed by members who were expelled from the CPUSA in 1938. Although for many years this group was a small, ineffectual and virtually forgotten entity, it has been revitalized in recent years. In an article in the September issue of VFW, the Veterans of Foreign Wars magazine, FBI Director Hoover states:

> But the tables have now turned. The Trotskyists, especially its youth group (YSA was founded in the late 1950's), have shown a vast membership growth and resurgence in the last 24 months until YSA is today the

largest and best organized youth group in left-wing radicalism. Trotskyist influence is especially strong in the youth field, particularly on the college campus.

The YSA, the Young Socialist Alliance, like members of the PLP, are disciplined, calculating and efficient, in contrast to the members of SDS in later years. The SWP and YSA gained control in 1968 of the Student Mobilization Committee—SMC—which evolved out of the National Student Strike for Peace Conference in December 1966, a conference organized originally by the CPUSA. The SMC provides the pipeline to college campuses for Trotskyist influence, and one indication of SMC's effect can be judged from the role it played during the October and November 1969 demonstrations against the Vietnam war here in Washington and elsewhere.

Another revolutionary group, the Black Panther Party, has recently turned its attention to the campuses to spread its message of anarchy and to reap its share of available speaking fees offered at educational institutions. In 1969, BPP speakers made 189 appearances at secondary schools, colleges, and universities and received up to $1,900 for each engagement as well as transportation costs. In 1967, BPP speakers made but 11 appearances at educational institutions. As should be generally known by now, the BPP is guided by Marxist-Leninist doctrines and work for the violent overthrow of our Government. Needless to say, the new left and the CPUSA have lent their support to BPP antipolice and anti-Government policies.

While most of the above-listed organizations contributed greatly to campus agitation and disruptions in recent years, the role of left-wing faculty members has unfortunately never been adequately explored. In 1969 a House subcommittee, the Special Subcommittee on Education, held hearings over a period of 4 months on campus unrest. The chairman of the subcommittee, Representative EDITH GREEN, was quoted in the October 5 issue of U.S. News & World Report as stating:

I am convinced there would be no campus riots if it weren't for some faculty members.

During these hearings this question was asked of Dr. S. I. Hayakawa, acting president of San Francisco State College:

Do you feel that the disturbances you have had on your campus could have continued as long and as violent as they have without some active support on the part of faculty members?

Dr. Hayakawa responded:

I believe the faculty has a lot to do—certain elements in the faculty have a lot to do with student dissidence and student activism. I think the faculty includes people who take intellectual pride in their alienation from the culture and they pass on that sense of alienation to their students and they teach their students, very often it is practically a moral duty to rebel against the entire system and what they call the establishment.

Dr. Hayakawa went on to say that an estimated 50 to 100 teachers out of the faculty total of 1,300 were involved, with certain departments like English, philosophy, and speech having the greatest concentration.

When further questioned as to whether student unrest could continue without the faculty support, Dr. Hayakawa said:

I doubt that very much. As I was saying to Mr. Erlenborn, there is an active encouragement of disaffection and striking on the part of students. The reason I don't want an automatic system of punitive measures to be taken against students for striking is that some of them are striking strictly under instruction from their teachers. In fact, they are threatened with dire consequences if they don't go on strike, by some of our radical teachers.

Later in the hearings Dr. Walter P. Metzger, professor of history at Columbia University, was asked to comment on the relationship of the faculty and the Columbia disruptions:

There is no doubt that some members of the faculty, young ones, played, not a connecting-link role, but a double-agent role; they were part of the faculty deliberation, and then they went to the strike committee and told them what we were about. This presents some very grave problems for us. I think the problems will grow more acute as younger, more radical faculty members take their place in the institutions of higher learning.

For want of a comprehensive study on the involvement of faculty members in campus disorders, it would be unwise and unfair to speculate on the extent to which faculty have aided and abetted school disorders. It would be safe to say, I believe, that the vast majority neither support or condone radical campus activities which obstruct the pursuit of educational goals. A small disruptive minority has aided and abetted campus radicalism.

The lack of discipline and firm insistence on order by school administrations have been cited many times as major factors in encouraging and prolonging campus disturbances. In addition, acquiescence to extreme student demands has supported cumulatively the radical proposition that disruption, violence, and illegal activities succeed. The slogan "demand, achieve, and then demand more" gains wider currency in direct ratio to the number of institutions buckling under to extreme demands.

One case in which school administrators might possibly be lax in cracking down on student and faculty troublemakers concerns present statutes which provide for discontinuance of Federal funds to those guilty of campus disruptive activities. At the close of the school year the Office of Education compiles a report of actions taken by schools in accordance with Federal provisions. Out of 2,600 institutions only 87 reported taking any action against students or faculty seriously involved in disturbances. There is certainly room for doubt as to whether of all the radical actions on campus from the end of June 1969, to the end of June 1970, involving teachers or students receiving Federal assistance, amounted to the small sum of 87 institutions.

Another area in which schools have contributed to the radicalism of campuses is the providing of speaker's forums for radical and left-wing organizations and individuals. William Kunstler, a leading radical lawyer, is reported to have said: "We raise most of the money for our movement through speaking engagements."

FBI Director Hoover earlier this year commented on the use that the Black Panther Party has lucratively made of speaking engagements which have netted the BPP as much as $1,900 per appearance. Aside from the financial support provided, the exposure and possible indoctrination of sincere but inexperienced students cannot be discounted. A revolutionary or radical speaker need but instill in the student some degree of alienation from our system and way of life to help neutralize any inclination toward positive and meaningful action. Unfortunately, it is impossible to establish to what extent the words of radical speakers on campus have sowed the germs of antisocial discontent among teachers and students or to what extent such teachers have contaminated students in later years.

From 1961 on, apostles of anarchy and revolution have graced the sphere's podiums of our educational institutions throughout the country. Old-line Communist Party members, dissident Communist organization speakers, representatives of the New Left and Black Panther Party functionaries have been well received on campus selling their message of destruction. It is indeed ironic that their revolutionary counsel has been absorbed by students to be later used against that very element of the "establishment" which exposed them—the educational institution.

The following lists of speaking engagements on campuses by members of the Communist Party USA and the Black Panther Party were compiled by the FBI, the House and Senate Internal Security Committees and other sources.

SPEAKING ENGAGEMENTS ON COLLEGE CAMPUSES BY COMMUNIST PARTY LEADERS IN 1963

SCHOOL, SPEAKER, AND DATE

Muskingum College (debate), Arnold Johnson, January 9, 1963.

Michigan State University, Herbert Aptheker, January 17, 1963.

Wayne State University, Carl Winter, January 17, 1963.

Brandeis University, Herbert Aptheker, February 5, 1963.

University of Virginia, Gus Hall, February 8, 1963.

Yale University, Gus Hall, February 13, 1963.

Brown University, Benjamin J. Davis, February 13, 1963.

University of California, Herbert Aptheker, February 20, 1963.

San Francisco State College, Herbert Aptheker, February 21, 1963.

Brandeis University, Gus Hall, March 11, 1963.

University of Michigan, Herbert Aptheker, March 12, 1963.

Roosevelt University, Herbert Aptheker, March 13, 1963.

Howard University, Herbert Aptheker, March 20, 1963.

City College of New York, Herbert Aptheker, March 21, 1963.

University of Wisconsin, Herbert Aptheker, March 27, 1963.

University of Chicago, Herbert Aptheker, March 28, 1963.

Rhode Island University, Hyman Lumer, April 3, 1963.

Colorado State College, Mortimer Daniel Rubin, April 8, 1963.

University of Connecticut, Arnold Johnson, April 23, 1963.

University of Massachusetts, Arnold Johnson, April 24, 1963.
Oberlin College, Benjamin J. Davis, May 6, 1963.
Yale University, Herbert Aptheker, May 6, 1963.
Ohio Wesleyan University, Carl Winter, May 7, 1963.
University of Connecticut, James E. Jackson, May 8, 1963.
Western State College, Mortimer Daniel Rubin, May 9, 1963.
Macalester College, Hyman Lumer, May 9, 1963.
University of Michigan, Carl Winter, May 16, 1963.
Cornell University, Marvin Markman, May 16, 1963.
Bard College, Herbert Aptheker, June 12, 1963.
University of California (at Berkeley), Albert J. Lima, July 22, 1963.
Marin Junior College, Albert J. Lima, October 8, 1963.
Muhlenberg College, Hyman Lumer, October 10, 1963.
Harvard University, Hyman Lumer, October 16, 1963.
California Institute of Technology, Dorothy Healey, October 16, 1963.
University of California (at Los Angeles), Dorothy Healey, October 18, 1963.
University of the Pacific, Albert J. Lima, Herbert Aptheker, October 28, 1963.
San Jose State College, Herbert Aptheker, October 29, 1963.
University of California (at Berkeley), Herbert Aptheker, October 30, 1963.
Oakland City College, Herbert Aptheker, October 30, 1963.
University of Oregon, Herbert Aptheker, October 30, 1963.
City College of New York, Benjamin J. Davis, October 31, 1963.
City College of New York, Herbert Aptheker, November 12, 1963.
Bethany College, Arnold Johnson, November 15, 1963.
University of California (Riverside campus) Dorothy Healey, November 18, 1963.
Yale University, Herbert Aptheker, December 11, 1963.

SPEAKING ENGAGEMENTS ON COLLEGE CAMPUSES BY COMMUNIST PARTY LEADERS, CALENDAR YEAR 1964

SCHOOL, SPEAKER, AND DATE

University of California (Santa Barbara campus), Dorothy Healey, January 13, 1964.
Wayne State University, Herbert Aptheker, February 19, 1964.
Lake Forest College, David Englestein, February 19, 1964.
University of Wisconsin, Herbert Aptheker, February 21, 1964.
Santa Rosa Junior College, Albert J. Lima, February 28, 1964.
University of Wisconsin, James E. Jackson, March 1, 1964.
Yale University, Hyman Lumer, Arnold Johnson, March 15, 1964.
Upsala College, Daniel Rubin, March 16, 1964.
DePauw University, Gilbert Green, March 17, 1964.
New York University, Herbert Aptheker, April 3, 1964.
Earlham College, Herbert Aptheker, April 6, 1964.
Harvard University, Elizabeth Gurley Flynn, April 8, 1964.
Lycoming College, Arnold Johnson, April 13, 1964.
American River Junior College, Albert J. Lima, April 17, 1964.
University of New Hampshire, James E. Jackson, April 24, 1964.
Shimer College, James West, April 25, 1964.
Penn State University, Herbert Aptheker, April 29, 1964.
Rutgers University, Arnold Johnson, April 29, 1964.
College of San Mateo, Albert J. Lima, April 30, 1964.
Amherst College, Herbert Aptheker, May 4, 1964.
College of San Mateo, Albert J. Lima, May 5, 1964.
University of Las Vegas, Dorothy Healey, May 6, 1964.
Union University, Herbert Aptheker, May 8, 1964.
University of Wisconsin, Claude Lightfoot, May 10, 1964.
Brown University, Elizabeth Gurley Flynn, May 11, 1964.
Wake Forest College, George Meyers, May 13, 1964.
City College of New York, William Patterson, May 15, 1964.
Stanford University, Albert J. Lima, May 19, 1964.
California State College, Dorothy Healey, May 20, 1964.
San Jose City College, Albert J. Lima, May 28, 1964.
San Francisco State College, Henry Winston, September 28, 1964.
University of California, Henry Winston, September 28, 1964.
Reed College, Henry Winston, October 7, 1964.
Portland State College, Henry Winston, October 9, 1964.
University of Washington, Henry Winston, October 12, 1964.
University of Wisconsin, Henry Winston, October 21, 1964.
University of Hawaii, Gus Hall, October 23, 1964.
Oberlin University, Henry Winston, October 24, 1964.
University of Buffalo, Herbert Aptheker, November 13, 1964.
State University College (Cortland, N.Y.), Herbert Aptheker, November 17, 1964.
Western Reserve University, Hyman Lumer, December 3, 1964.
Syracuse University (Utica, New York branch) Herbert Aptheker, December 8, 1964.
Miami University, Oxford, Ohio, Herbert cember 13, 1964.
University of Wisconsin, Fred Blair, December 13, 1964.

During the academic years from 1961 to 1965, party speakers averaged 50 campus appearances each year. Unfortunately, speaking engagements from January 1965 through the months of the 1965 school year until October have not been listed. The following listing resumes the school year in October 1965, and from then until May 1966, a total of 69 appearances were made by members of the CPUSA.

COMMUNIST PARTY—U.S.A. PUBLIC APPEARANCES OF PARTY LEADERS SCHOOL YEAR 1965–66

SCHOOL, SPEAKER, AND DATE

Ohio State University, Columbus, Ohio, Herbert Aptheker, October 18, 1965.
University of Bridgeport, Bridgeport, Conn., Herbert Aptheker,, October 27, 1965.
Ventura College, Ventura, Calif., Dorothy Healey, November 3, 1965.
City College of New York, New York, N.Y., Gil Green, November 4, 1965.
City College of New York, New York, N.Y., Herbert Aptheker, November 5, 1965.
University of Utah, Salt Lake City, Utah, Mortimer Daniel Rubin, November 9, 1965.
University of Pennsylvania, Philadelphia, Pa., Herbert Aptheker, November 13, 1965.
San Fernando Valley State College, Northridge, Calif., Herbert Aptheker, November 15, 1965.
University of California at Santa Barbara, Goleta, Calif., Herbert Aptheker, November 16, 1965.
Princeton University, Princeton, N.J., James Jackson, November 16, 1965.
California State College, Goleta, Calif., Herbert Aptheker, November 16 ,1965.
California State College, Los Angeles, Calif., Herbert Aptheker, November 17, 1965.
University of Southern California, Los Angeles, Calif., Herbert Aptheker, November 17, 1965.
University of Minnesota, Duluth, Minn., Arnold Johnson, November 18, 1965.
University of California, Berkeley, Calif., Herbert Aptheker, November 19, 1965.
Baldwin Wallace College, Berea, Ohio, Anthony Krchmarek, November 20, 1965.
City College of New York, New York, N.Y., Herbert Aptheker, December 3, 1965.
Fairleigh-Dickinson University, Rutherford, N.J., Gus Hall, December 13, 1965.
Columbia University, New York, N.Y., Gus Hall,, December 15, 1965.
Michigan State University, East Lansing, Mich., Hyman Lumer, January 7, 1966.
Great Neck Senior High School, Great Neck, N.Y., Herbert Aptheker, January 27, 1966.
University of Michigan, Ann Arbor, Mich., Herbert Aptheker, February 10, 1966.
Tuskegee Institute, Tuskegee, Ala., Gus Hall, February 11, 1966.
Wayne State University, Detroit, Mich., Herbert Aptheker, February 11, 1966.
Michigan State University, East Lansing, Mich., Herbert Aptheker, February 11, 1966.
Brooklyn College, Brooklyn, N.Y., Herbert Aptheker, February 16, 1966.
University of Texas, Austin, Tex. (off campus), John Stanford, February 21, 1966.
Hunter College, New York, N.Y., Herbert Aptheker, March 2, 1966.
Rutgers University, New Brunswick, N.J., Herbert Aptheker, March 5, 1966.
Duke University, Durham, N.C., Herbert Aptheker, March 8, 1966.
University of North Carolina, Chapel Hill, N.C. (off campus), Herbert Aptheker, March 9, 1966.
Queens College, New York, N.Y., Herbert Aptheker, March 11, 1966.
Boston University, Boston, Mass., Herbert Aptheker, March 13, 1966.
Brandeis University, Waltham, Mass., Herbert Aptheker, March 13, 1966.
St. Francis College, Biddleford, Maine, Herbert Aptheker, March 16, 1966.
St. Andrews Presbyterian College, Laurinburg, N.C., Arnold Johnson, March 18, 1966 (a.m.).
St. Andrews Presbyterian College, Laurinburg, N.C., Arnold Johnson, March 18, 1966 (p.m.).
Bryn Mawr College, Bryn Mawr, Pa., Herbert Aptheker, March 21, 1966.
Central Michigan University, Mt. Pleasant, Mich., Thomas Dennis, March 24, 1966.
University of Wisconsin, Madison, Wis., Herbert Aptheker, March 24, 1966.
University of California, Los Angeles, Calif., Dorothy Healey, March 25, 1966.
Mundelein College, Chicago, Ill., Louis Diskin, March 29, 1966.
Harpur College, Binghamton, N.Y., Herbert Aptheker, March 30, 1966.
Hunter College, New York, N.Y., Herbert Aptheker, March 31, 1966.
New York University, New York, N.Y., Herbert Aptheker, April 6, 1966.
Syracuse University, Syracuse, N.Y., Claude Lightfoot, April 18, 1966.
University of Miami, Coral Gables, Fla., Herbert Aptheker, April 20, 1966.
Harvard University, Cambridge, Mass., Herbert Aptheker, April 21, 1966.
Rutgers University, New Brunswick, N.J., Herbert Aptheker, April 23, 1966.
De Paul University, Chicago, Ill., Louis Diskin, April 24, 1966.
University of California, Los Angeles, Calif., Dorothy Healey, April 29, 1966.
Northwestern University, Evanston, Ill., Herbert Aptheker, April 30, 1966.
University of Chicago, Chicago, Ill., Herbert Aptheker, May 2, 1966.

Loyola University, Chicago, Ill., Herbert Aptheker, May 2, 1966.
Hampton Institute, Hampton, Va., George Meyers, May 3, 1966.
Indiana University, Bloomington, Ind., Herbert Aptheker, May 3, 1966, (a.m.).
Indiana University, Bloomington, Ind., Herbert Aptheker, May 3, 1966, (p.m.).
University of Wisconsin, Madison, Wis., Claude Lightfoot, May 3, 1966.
University of Pittsburgh, Pittsburgh, Pa., Herbert Aptheker, May 4, 1966.
Fairleigh-Dickinson University, Rutherford, N.J., Gil Green, May 5, 1966.
Albion College, Albion, Mich., Gus Hall, May 5, 1966.
Briar Cliff College, Sioux City, Iowa, Herbert Aptheker, May 10, 1966.
California State College, Los Angeles, Calif., Dorothy Healey, May 11, 1966.
University of Maryland, College Park, Md., George Meyers, Arnold Johnson, May 16, 1966.
Harvard University, Cambridge, Mass., Gil Green, May 17, 1966.
Temple University, Philadelphia, Pa., Herbert Aptheker, May 17, 1966.
Kent State University, Kent, Ohio, Herbert Aptheker, May 19, 1966.
San Fernando Valley State College, Northridge, Calif., Dorothy Healey, May 25, 1966.
University of California, Irvine, Calif., Dorothy Healey, May 27, 1966.

PUBLIC APPEARANCES OF PARTY LEADERS ON COLLEGE CAMPUSES, SCHOOL YEAR 1966–67

SCHOOL, SPEAKER, AND DATE

College of Marin, Kenfield, Calif., Bettina Aptheker Kurzweil, September 27, 1966.
Beloit College, Beloit, Wis., Fred Bassett Blair, September 29, 1966.
St. Vincent College, Latrobe, Pa., Herbert Aptheker, October 4, 1966.
California Western University, San Diego, Calif., Dorothy Healey, October 4, 1966.
Brooklyn College, Brooklyn, N.Y., Herbert Aptheker, October 10, 1966.
City College of New York, New York, N.Y., Herbert Aptheker, October 20, 1966.
DePaul University, Chicago, Ill., Louis Diskin, October 25, 1966.
Chicago Teachers College—North Chicago, Ill., Louis Diskin, October 27, 1966.
Pitzer College, Claremont, Calif., Dorothy Healey, November 14, 1966.
City College of New York, New York, N.Y., Arnold Johnson, December 1, 1966.
University of Minnesota, Minneapolis, Minn., Art Shields, December 1, 1966.
Clark University, Worcester, Mass., Herbert Aptheker, December 5, 1966.
Long Island University, Brooklyn, N.Y., Herbert Aptheker, December 16, 1966.
Rice University, Houston, Tex., Mortimer Daniel Rubin, January 8, 1967.
St. Edward's University, Austin, Tex., Mortimer Daniel Rubin, January 9, 1967.
Lawrence University, Appleton, Wis., Herbert Aptheker, January 10, 1967.
University of Texas, Austin, Tex., Mortimer Daniel Rubin, January 10, 1967.
Franconia College, Franconia, N.H.,[1] Herbert Aptheker, January 24, 1967.
Franconia College, Franconia, N.H.,[1] Herbert Aptheker, January 24, 1967.
University of Western Ontario, London, Canada,[1] Herbert Aptheker, February 17, 1967.
University of Western Ontario, London, Canada,[1] Herbert Aptheker, February 17, 1967.
University of Illinois, Circle Campus, Chicago, Ill.,[2] Herbert Aptheker, February 27, 1967.
State University of New York, Buffalo, N.Y., Herbert Aptheker, March 1, 1967.
University of Bridgeport, Bridgeport, Conn., Arnold Johnson, March 3, 1967.

[1] Two separate appearances on same day.
[2] Outdoor lecture center; stopped when threatened by Clabaugh Act.

Oberlin College, Oberlin, Ohio, Herbert Aptheker, March 5, 1967.
Everett Junior College, Everett, Wash., Milford Adolf Sutherland, March 7, 1967.
University of Wisconsin, Waukesha Center, Waukesha, Wis., Fred Bassett Blair, March 14, 1967.
Gettysburg College, Gettysburg, Pa., Henry Winston, March 15, 1967.
San Francisco State College, San Francisco, Calif., Herbert Aptheker, March 15, 1967.
Gettysburg College, Gettysburg, Pa., Robbert Heisler, March 16, 1967.
University of Wisconsin, Madison, Wis., Michael Zagarell, March 21, 1967.
University of Illinois, Urbana, Ill., Louis Diskin, March 23, 1967.
California State College at Long Beach, Long Beach, Calif., Dorothy Healey, March 27, 1967.
Trinity College, Hartford, Conn., Herbert Aptheker, April 4, 1967.
University of California, Los Angeles, Calif., Bettina Aptheker Kurzweil, April 4, 1967.
Marquette University, Milwaukee, Wis., James Kennedy, April 5, 1967.
Santa Monica City College, Santa Monica, Calif., Bettina Aptheker Kurzweil, April 5, 1967.
University of Illinois, Circle Campus, Chicago, Ill., Louis Diskin, April 6, 1967.
University of Redlands, Redlands, Calif., Bettina Aptheker Kurzweil, April 6, 1967.
University of Nebraska, Lincoln, Nebr., Louis Diskin, April 6, 1967.
Pasadena City College, Pasadena, Calif., Bettina Aptheker Kurzweil, April 6, 1967.
Pomona College, Claremont, Calif., Bettina Aptheker Kurzweil, April 6, 1967.
Bucknell University, Lewisburg, Pa., James Jackson, April 7, 1967.
California State College at Long Beach, Long Beach, Calif., Bettina Aptheker Kurzweil, April 7, 1967.
California State College at Los Angeles, Los Angeles, Calif., Bettina Aptheker Kurzweil, April 7, 1967.
University of California, Riverside, Calif., Bettina Aptheker Kurzweil, April 11, 1967.
State University College at Geneseo, Geneseo, N.Y., Herbert Aptheker, April 13, 1967.
Ohio State University, Athens, Ohio, Gus Hall, April 19, 1967.
Lehigh University, Bethlehem, Pa., Arnold Johnson, May 9, 1967.
College of Wooster, Wooster, Ohio, Herbert Aptheker, May 11, 1967.
Loyola University, Los Angeles, Calif., Herbert Aptheker, May 15, 1967.
University of Notre Dame, South Bend, Ind., Herbert Aptheker, May 16, 1967.
Vanderbilt University, Nashville, Tenn., Michael Zagarell, May 17, 1967.
Portland State College, Portland, Oreg., Donald Hamerquist, May 24, 1967.

PUBLIC APPEARANCES OF PARTY LEADERS ON CAMPUSES, SCHOOL YEAR 1967–68

SCHOOL, SPEAKER, AND DATE

Brooklyn College, Brooklyn, N.Y., Claude Mack Lightfoot, September 27, 1967.
University of Santa Clara, Santa Clara, Calif., Herbert Aptheker, October 17, 1967.
University of Santa Clara, Santa Clara, Calif., Herbert Aptheker, October 18, 1967.
University of Santa Clara, Santa Clara, Calif., Herbert Aptheker, October 19, 1967.
Gonzaga University, Spokane, Wash., Milford Sutherland, November 2, 1967.
John Carroll University, Cleveland, Ohio, Philip Bart, November 9, 1967.
Portland State College, Portland, Oreg., Donald Lee Hamerquist, November 15, 1967.
Los Angeles Valley College, Van Nuys, Calif., Dorothy Healey, November 21, 1967.
University of the Pacific, Stockton, Calif., Bettina Aptheker Kurzweil, November 28, 1967.
Raymond College of the University of the Pacific, Stockton, Calif., Bettina Aptheker Kurzweil, November 28, 1967.
Brooklyn College, Brooklyn, N.Y., Bettina Aptheker Kurzweil, January 10, 1968.
Queens College, Flushing, N.Y., Bettina Aptheker Kurzweil, January 11, 1968.
University of British Columbia, Vancouver, British Columbia, Canada, Herbert Aptheker, January 11, 1968.
University of Alberta, Edmonton, Alberta, Canada, Herbert Aptheker, January 12, 1968.
St. Cloud State College, St. Cloud, Minn., Arnold Johnson, January 17, 1968.
Carroll College, Waukesha, Wis., Arnold Johnson, January 22, 1968.
University of Dayton, Dayton, Ohio, Herbert Aptheker, January 24, 1968.
Brown University, Providence, R.I., Herbert Aptheker, February 5, 1968.
Hofstra University, Hempstead, N.Y., Herbert Aptheker, February 6, 1968.
California State College at Hayward, Hayward, Calif., Bettina Aptheker Kurzweil, February 8, 1968.
Wayne State University, Detroit, Mich., Herbert Aptheker; February 10, 1968.
Assumption College, Worcester, Mass., Herbert Aptheker, February 15, 1968.
Denison University, Granville, Ohio, Herbert Aptheker, February 20, 1968.
University of Oregon, Eugene, Oreg., Bettina Aptheker Kurzweil, February 21, 1968.
Case Western Reserve University, Cleveland, Ohio, Victor Perlo, February 23, 1968.
Indiana State University, Terre Haute, Ind., Herbert Aptheker, February 24, 1968.
Valparaiso University, Valparaiso, Ind., Herbert Aptheker, March 19, 1968.
University of Wisconsin, Madison, Wis., Herbert Aptheker, March 27, 1968.
Marquette University, Milwaukee, Wis., Herbert Aptheker, March 28, 1968.
University of Minnesota, Minneapolis, Minn., Herbert Aptheker, March 29, 1968.
University of South Dakota, Vermillion, S. Dak., Herbert Aptheker, April 1, 1968.
Stanislaus State College, Turlock, Calif., Bettina Aptheker Kurzweil, April 3, 1968.
University of Connecticut, Storrs, Conn., Herbert Aptheker, April 3, 1968.
College of the City of New York, New York, N.Y., Gus Hall, April 11, 1968.
University of Kentucky, Lexington, Ky., Herbert Aptheker, April 22, 1968.
Eastern Michigan University, Ypsilanti, Mich., Herbert Aptheker, April 26, 1968.
John Carroll University, Cleveland, Ohio Philip Bart, May 5, 1968.
Williams College, Williamstown, Mass., Herbert Aptheker, May 6, 1968.
San Fernando Valley State College, Northridge, Calif., Dorothy Healey, May 7, 1968.
San Fernando Valley State College, Northridge, Calif., Dorothy Healey, May 11, 1968.
University of North Dakota, Grand Forks, N. Dak., Gus Hall, May 14, 1968.
Purdue University, West Lafayette, Ind., Herbert Aptheker, May 14, 1968.
Bowling Green State University, Bowling Green, Ohio, Herbert Aptheker, May 15, 1968.
University of Illinois, Circle Campus, Chicago, Ill., Louis Diskin, May 16, 1968.
Shasta Junior College, Redding, Calif., Bettina Aptheker Kurzweil, May 21, 1968.
University of Minnesota, Duluth, Minn., Arnold Johnson, May 23, 1968.
Indiana University, Bloomington, Ind., James West, Ted Pearson, May 31, 1968.
Indiana University, Bloomington, Ind., James West, Ted Pearson, June 1, 1968.

PUBLIC APPEARANCES OF PARTY LEADERS ON CAMPUSES, SCHOOL YEAR 1968–69

SCHOOL, SPEAKER, AND DATE

Notre Dame University, South Bend, Ind.; Michael Zagarell; September 15, 1968.
Valley State College, Northridge, Calif.; Charlene Mitchell; September 19, 1968.
University of New Mexico, Albuquerque, N. Mex.; Charlene Mitchell; September 25, 1968.

Susquehanna University, Selinsgrove, Pa.; Charlene Mitchell; September 26, 1968.

Temple University, Philadelphia, Pa.; Michael Zagarell; September 26, 1968.

Standard Evening High School,* Philadelphia, Pa.; Michael Zagarell; September 26, 1968.

University of Illinois, Circle Campus, Chicago, Ill.; Charlene Mitchell; October 3, 1968.

University of Illinois, Circle Campus, Chicago, Ill.; Louis Diskin; October 3, 1968.

Northwestern University, Evanston, Ill.; Charlene Mitchell; October 4, 1968.

Mundelein College, Chicago, Ill.; Charlene Mitchell; October 7, 1968.

University of Washington, Seattle, Wash.; Charlene Mitchell; October 8, 1968.

Bloomfield College, Bloomfield, N.J.; Michael Zagarell; October 10, 1968.

University of Minnesota, Minneapolis, Minn.; Charlene Mitchell; October 14, 1968.

Marquette University, Milwaukee, Wis.; Charlene Mitchell; October 15, 1968.

Northeastern University, Boston Mass.; Michael Zagarell; October 15, 1968.

Brandeis University, Waltham, Mass.; Michael Zagarell; October 15, 1968.

Colby College, Waterville, Maine; Michael Zagarell; October 16, 1968.

University of Maine, Orono, Maine; Michael Zagarell; October 16, 1968.

University of Maine at Portland, Portland, Maine; Michael Zagarell; October 16, 1968.

University of Wisconsin, Milwaukee, Wis.; Charlene Mitchell; October 16, 1968.

Knox College, Galesburg, Ill.; Herbert Aptheker; October 16, 1968.

Northwest Missouri State College, Maryville, Mo.; Herbert Aptheker; October 17, 1968.

University of Wisconsin, Memorial Union, Madison, Wis.; Charlene Mitchell; October 17, 1968.

City College of New York, New York, N.Y.; Charlene Mitchell; October 18, 1968.

Brown University, Providence, R.I.; Michael Zagarell; October 18, 1968.

University of Rhode Island, Kingston, R.I.: Michael Zagarell; October 18, 1968.

University of Texas, Austin, Tex.; Charlene Mitchell; October 23, 1968.

Fisk University, Nashville, Tenn.; Charlene Mitchell; October 24, 1968.

San Jose State College, San Jose, Calif.; Charlene Mitchell; October 28, 1968.

Merritt College, Oakland, Calif.; Charlene Mitchell; October 28, 1968.

University of Minnesota, Minneapolis, Minn.; Michael Zagarell, October 28, 1968.

Temple Buell College, Denver, Colo.; Michael Zagarell; October 29, 1968.

Stanford Universtiy, Stanford, Calif.; Charlene Mitchell; October 29, 1968.

California State College, Hayward, Calif.; Charlene Mitchell; October 30, 1968.

Lowell State College, Lowell, Mass.; Charlene Mitchell; October 31, 1968.

Harvard University, Cambridge, Mass.; Charlene Mitchell; October 31, 1968.

Boston State College, Boston, Mass.; Charlene Mitchell; November 1, 1968.

Yale University, New Haven, Conn.; Charlene Mitchell; November 2, 1968.

Howard University, Washington, D.C.; Charlene Mitchell; November 4, 1968.

Knox College, Galesburg, Ill.; Michael Eisenscher; November 12, 1968.

University of Delaware, Newark, Del.; Herbert Aptheker; December 12, 1968.

St. Norbert's College, De Pere, Wis.; Herbert Aptheker; January 9, 1969.

Tougaloo College, Tougaloo, Miss.; Herbert Aptheker; February 5, 1969.

California Lutheran College, Thousand Oaks, Calif.; Herbert Aptheker; February 6, 1969.

New York University, New York, N.Y.; Michael Myerson; February 13, 1969.

University of Maine, Orono, Maine; Charlene Mitchell; February 18, 1969.

*High school.

Lafayette College, Easton, Pa.; Herbert Aptheker; March 3, 1969.

University of Miami, Coral Gables, Fla.; Charlene Mitchell, March 6, 1969.

University of New Mexico, Albuquerque, N. Mex.; Claude Lightfoot; March 11, 1969.

Littleton High School,* Littleton, Colo.; Robert Trujillo; March 14, 1969.

University of Northern Iowa, Cedar Falls, Iowa; Herbert Aptheker; April 8, 1969.

Idaho State University, Pocatello, Idaho; Herbert Aptheker; April 10, 1969.

Bradley Univerity, Peoria, Ill.; Richard Criley; April 14, 1969.

Elmhurst College, Elmhurst, Ill.; Herbert Aptheker; April 15, 1969.

Marshall University, Huntington, W. Va.; Herbert Aptheker; April 18, 1969.

University of Rhode Island, Kingston, R.I.; Herbert Aptheker; May 13, 1969.

Central State University, Wilberforce, Ohio; Charlene Mitchell; May 17, 1969.

Federal City College, Washington, D.C.; Claude Lightfoot; May 25, 1969.

Pennsylvania State University, University Park, Pa.; Arnold Johnson; May 25, 1969.

Beloit College, Beloit, Wis.; Claude Lightfoot; June 27, 1969.

SPEAKING APPEARANCES OF BLACK PANTHER PARTY LEADERS AT SECONDARY SCHOOLS, COLLEGES, AND UNIVERSITIES DURING CALENDAR YEAR 1969

DATE, SCHOOL, AND SPEAKER

January 7, 1969, University of California, Berkeley, Calif.; Bobby Seale.

January 8, 1969, University of Colorado, Boulder, Colo.; Lauren R. Watson.

January 8, 1969, Roosevelt University, Chicago, Ill.; Fred Hampton, Bobby Rush.

January 9–10, 1969, University of Illinois, Champaign, Ill.; Fred Hampton, Bobby Rush, Diane Dunn.

January 9, 1969, Wright Junior College, Chicago, Ill.; Rufus Walls, Bobby Rush, Fred Hampton.

January 14, 1969, Central YMCA Community College, Chicago, Ill.; Fred Hampton, Bobby Rush.

January 15, 1969, California State College at Long Beach, Long Beach, Calif.; Alfred Jones.

January 17, 1969, Loop City College, Chicago, Ill.; Fred Hampton, Robert White.

January 24, 1969, Nasson College, Springvale, Maine; Thomas D. Pawley, Carla Ford.

January 25, 1969, Denver University, Denver, Colo.; Joe Martin.

January 27, 1969, Western Illinois University, Macomb, Ill.; Bobby Rush.

January 28–29, 1969, University of Washington, Seattle, Wash.; Aaron Dixon.

January 31, 1969, University of Washington, Seattle, Wash.; Kathy Jones.

February 7, 1969, Fairfield University, Fairfield, Conn.; Jose Gonzalvez.

February 7, 1969, Woodlawn Senior High School, Baltimore, Md.; Warren Hart.

February 9–15, 1969, University of Colorado, Boulder, Colo.; Lauren R. Watson.

February 10, 1969, St. John's College, Annapolis, Md.; Warren Hart.

February 10, 1969, Eastern Washington State College, Chaney, Wash.; Aaron Dixon.

February 10, 1969, University of Illinois, Circle Campus, Chicago, Ill.; Robert Brown.

February 10, 1969, Malcolm X Jr. College, Chicago, Ill.; Rufus Walls.

February 13, 1969, Indiana University, Bloomington, Ind.; Joe Martin, Stanford Patton, Fred Crawford.

February 13, 1969, Northern Illinois University, DeKalb, Ill.; Fred Hampton.

February 14, 1969, California State College at Los Angeles, Los Angeles Calif.; Raymond Hewitt, Elaine Brown.

February 15, 1969, Valparaiso University, Valparaiso, Ind.; Joe Martin, Robert O'Bannon.

February 15, 1969, San Diego State College, San Diego, Calif.; Kenneth Lee Denmon, Walter Wallace, Jr.

February 16, 1969, University of Denver, Denver, Colo.; Lauren R. Watson.

February 16, 1969, Hollywood High School, Los Angeles, Calif.; Donald Cox.

February 17, 1969, Crane High School, Chicago, Ill.; Billy Brooks, Bobby Rush, Fred Hampton, Rufus Walls, Jewel Barker.

February 19, 1969, Roosevelt University, Chicago, Ill.; Fred Hampton.

February 20, 1969, Central Missouri State Teachers College, Warrensburg, Mo.; Felix O'Neal.

February 20, 1969, Chicago State Teachers College, Chicago, Ill.; Bobby Rush, Billy Brooks.

February 20, 1969, Northeastern University, Chicago, Ill.; Fred Hampton.

February 20, 1969, Roosevelt University, Chicago, Ill.; Fred Hampton, Robert Lee, Jerry Dunnigan.

February 21, 1969, Roosevelt University, Chicago, Ill.; Rufus Walls.

February 21, 1969, Colorado College, Colorado Springs, Colo.; Lauren Watson.

February 21, 1969, Lee High School, New Haven, Conn.; Emilio Bermiss.

February 21, 1969, New York State University, Brockport, N.Y.; George Mason Murray.

February 22, 1969, Columbia University, New York N.Y.; Raymond Hewitt.

February 24, 1969, Baltimore Community College, Baltimore, Md.; Warren Hart.

February 25, 1969, Northern Illinois University, DeKalb, Ill.; Fred Hampton.

February 26, 1969, Midwestern College, Denison, Iowa; Eddie Bolden.

February 28, 1969, Irving High School, Maywood, Ill.; Fred Hampton.

March 5, 1969, University of Missouri, Kansas City, Mo.; Keith Hinch.

March 6, 1969, University of California at Los Angeles, Los Angeles, Calif.; Delmar Mossett.

March 7, 1969, Crossmont Junilor College, El Cajon, Calif.; Kenneth Denmon, Walter Wallace, Jr.

March 8, 1969, Horace Mann Junior High School, San Francisco, Calif.; David Hilliard.

March 10, 1969, Towson State Teachers College, Towson, Md.; Warren Hart.

March 10, 1969, Morgan State College, Baltimore, Md.; Warren Hart.

March 10, 1969, Maryland Institute, Baltimore, Md.; Elijah Boyd.

March 10, 1969, Loop City College, Chicago, Ill.; Fred Hampton.

March 11, 1969, Johns Hopkins University, Baltimore, Md.; Warren Hart.

March 12, 1969, Bellevue High School, Bellevue, Wash.; Carnell Garden, David Hendrix.

March 12, 1969, University of Aarhus, Copenhagen, Denmark; Raymond Hewitt.

March 12, 1969, Helsinki University, Helsinki, Finland; Raymond Hewitt.

March 12, 1969, Yale University, New Haven, Conn.; Jose Gonzalvez.

March 13, 1969, Goucher College, Towson, Md.; Warren Hart.

March 13, 1969, Northeastern High School, Baltimore, Md.; Elijah Boyd.

March 17, 1969, Oslo University, Oslo, Norway, Raymond Hewitt.

March 18, 1969, State University of New York, Buffalo, N.Y.; Westley Brown.

March 19, 1969, University of Maryland, College Park, Md.; Warren Hart.

March 19, 1969, Central Senior High School, Kansas City Mo.; Felix O'Neal, W. H. Whitfield, June Charles Sims.

March 20, 1969, John Hopkins University, Baltimore, Md., Elijah Boyd.

March 21, 1969, Mount St. Agnes College, Baltimore, Md., Elijah Boyd.

March 21, 1969, Helsinki University, Helsinki, Finland; Bobby Seale, Raymond Hewitt.

March 21, 1969, Mills College, Oakland, Calif.; Kathleen Cleaver.

March 24, 1969, Beloit College, Beloit, Wis.; Fred Hampton, Nathaniel Junior.

March 25, 1969, Barnard College, New York, N.Y.; Richard Moore.

March 26, 1969, Roosevelt University, Chicago ,Ill.; Fred Hampton, Bobby Rush, Alscino Shinn.

April 2, 1969, Milwaukee Technical College, Milwaukee, Wis.; Walter Chesser.

April 4, 1969, University of Washington, Seattle, Wash.; Aaron Dixon.

April 10, 1969, Indiana University, Bloomington, Ind.; Fred Crawford, Lawrence Roberts, Will Martin.

April 11–21, 1969, Lincoln High School, San Diego, Calif.; Kenneth Denmon.

April 13, 1969, Los Angeles Trade and Technical College, Los Angeles, Calif.; Raymond Hewitt.

April 14, 1969, University of Colorado, Boulder, Colo.; Lauren Watson, Russ Simpson.

April 15, 1969, Los Angeles Trade and Technical College, Los Angeles, Calif.; Bobby Seale.

April 16, 1969, St. Paul School of Theology, Kansas City, Mo.; Henry Finley.

April 17, 1969, Northwestern University, Evanston, Ill.; Fred Hampton.

April 18, 1969, Helms Junior High School, Richmond, Calif.; Bobby Seale.

April 21, 1969, Fayetteville State Teachers College, Fayetteville, N.C.; Carver Gene Neblitt.

April 22, 1969, Edward Williams College, Teaneck, N.J.; Carl Conrad Nichols.

April 23, 1969, University of California, Berkeley, Calif.; Bobby Seale.

April 24, 1969, Englewood High School, Chicago, Ill.; Billy Brooks.

April 27, 1969, City College of New York, New York, N.Y.; Emory Douglas, Kathleen Cleaver.

April 28, 1969, Park College, Parkville, Mo.; Keith Hinch, Henry Finley.

April 28, 1969, Whitman College, Walla Walla, Wash.; Elmer Dixon.

April (exact date unknown), State University of New York at Oswego, Oswego, N.Y.; Westley Brown.

May 1, 1969, University of Washington, Seattle, Wash.; Aaron Dixon.

May 2, 1969, Muskingum College, New Concord, Ohio; Carl Conrad Nichols.

May 5, 1969, Johns Hopkins University, Baltimore, Md.; Warren Hart.

May 5, 1969, California State College at Long Beach, Long Beach, Calif.; Raymond Hewitt.

May 6, 1969, University of Washington, Seattle, Wash.; Aaron Dixon, Anthony Ware.

May 8, 1969, St. Peter's College, Jersey City, N.J.; James York.

May 8, 1969, Lutheran Seminary, Gettysburg, Pa.; Warren Hart.

May 8, 1969, University of Maryland, College Park, Md.; Elijah Boyd.

May 13, 1969, Wichita State University, Wichita, Kans.; Henry Finley.

May 13, 1969, University of Los Angeles, Los Angeles, Calif.; Raymond Hewitt.

May 14, 1969, Sacred Heart University, Bridgeport, Conn.; Ericka Huggins.

May 14, 1969, Morgan State College, Baltimore, Md.; Elijah Boyd.

May 15, 1969, Somerset County College, Somerville, N.J.; Carl Conrad Nichols.

May 15, 1969, Central Washington State College, Ellensburg, Wash.; Aaron Dixon.

May 17, 1969, Yale University, New Haven, Conn.; Lonnie McLucas, Ericka Huggins, Larry Townsend.

May 19, 1969, Yale University, New Haven, Conn.; Bobby Seale.

May 19, 1969, Roosevelt High School, Des Moines, Iowa; James Drew.

May 19, 1969, San Diego State College, San Diego, Calif.; Kenneth Denmon.

May 19, 1969, Los Angeles City College, Los Angles, Calif.; Raymond Hewitt.

May 19, 1969, Malcolm X Junior College, Chicago, Ill.; Fred Hampton.

May 20, 1969, University of Wisconsin, Madison, Wis.; Fred Hampton.

May 21, 1969, University of Wisconsin-Milwaukee, Milwaukee, Wis.; Dakin Gentry.

May 22, 1969, University of California at Los Angeles, Los Angeles, Calif.; Joseph Brown.

May 28–29, 1969, El Camino Junior College, Gardena, Calif.; Delmar Mossett.

June 5, 1969, San Diego Mesa College, San Diego, Calif.; Walter Wallace, Jr.

June 6, 1969, University of California at Los Angeles, Los Angeles, Calif.; Raymond Hewitt.

June 7, 1969, University of Southern California, Los Angeles, Calif.; Raymond Hewitt.

June 28, 1969, University of Wisconsin-Beloit, Beloit, Wis.; Odell Montgomery.

July 10, 1969, San Diego State College, San Diego, Calif.; Walter Wallace, Jr.

August 4–8, 1969, Drake University, Des Moines, Iowa; Charles Knox.

August 6, 1969, Wisconsin State University-Eau Claire, Eau Claire, Wis.; Lovetta Brown.

August 9, 1969, Mathewson Junior High School, Wichita, Kans.; Felix O'Neal, Philip Crayton, Henry Finley, Tom Robinson, Archie Simmons, Keith Hinch.

August 13, 1969, University of Colorado, Boulder, Colo.; Elbert Howard.

August 14, 1969, University of Washington, Seattle, Wash.; Bobby White, Earl Brooks, Roberta Alexander.

September 6, 1969, University of Missouri, Kansas City, Mo.; Felix O'Neil, Brian O'Neil, Henry Finley, Tom Robinson, Andre Weatherby.

September 9, 1969, Tufts University, Medford, Mass.; Douglas Miranda.

September 12, 1969, Howard University, Washington, D.C.; Robert Lee.

September 13, 1969, American University, Washington, D.C.; Robert Lee.

September 14, 1969, Intermediate School, New York, N.Y.; Robert Lee.

September 17, 1969, University of North Carolina, Chapel Hill, N.C.; Robert Lee.

September 17, 1969, University of Maine, Orono, Maine; Eugene Jones.

September 21, 1969, University of Wisconsin, Madison, Wis.; Lovetta Brown, Howard Haralson.

September 22, 1969, State University of New York at Buffalo, Buffalo, N.Y.; Robert Lee.

September 25, 1969, Marquette University, Milwaukee, Wis.; Donald Jackson.

September 25, 1969, University of Wisconsin-Milwaukee, Milwaukee, Wis.: Dakin Gentry.

September 25, 1969, Yale Law School, New Haven, Conn.; Roscoe Lee, Elizabeth Bragg.

September 29, 1969, Waseda University, Tokyo, Japan; Elbert Howard, Roberta Alexander.

October 1, 1969, Memorial Junior High School, San Diego, Calif.; Kenneth Denmon.

October 3, 1969, Case Western Reserve University, Cleveland, Ohio; David Hilliard.

October 6, 1969, Northwestern University, Evanston, Ill.; Fred Hampton.

October 9, 1969, Glendale Community College, Glendale, Calif.; Elaine Brown.

October 11, 1969, Princeton University, Princeton, N.J.; Carl Conrad Nichols.

October 14, 1969, University of Connecticut, Storrs, Conn.; Douglas Miranda.

October 14, 1969, San Jose State College, San Jose, Calif.; Connie Matthews.

October 15, 1969, Ripon College, Ripon, Wis.; David Young, Donald Jackson.

October 15, 1969, Leeward Community College, Honolulu, Hawaii; Elaine Brown.

October 15, 1969, University of Hawaii, Honolulu, Hawaii; Elaine Brown.

October 16, 1969; University of Calgary, Calgary, Canada; Raymond Hewitt, Emory Douglas.

October 21, 1969; Temple University, Philadelphia, Pa.; Clarence Peterson, Rene Johnson.

October 21, 1969; San Diego Mesa College, San Diego, Calif.; Otis Moran.

October 28, 1969; State University of New York at Buffalo, Buffalo, N.Y.; James Caston.

October 28, 1969; St. Cloud State College, St. Cloud, Minn.; Earl Leon Anthony.

October 28, 1968; Rio Grande College, Rio Grande, Ohio; Rufus Walls.

October 29, 1969; Ball State University, Muncie, Ind.; Donald Campbell, Robert O'Bannon, Milan Busby.

October 29, 1969; Illinois State University, Normal, Ill.; Mark Clark, Edward McChriston,, Leon Harps, Fred Hampton.

October 30, 1969; University of California at Davis, Davis, Calif.; David Hilliard.

October 30, 1969; Sacramento State College, Sacramento, Calif.; David Hilliard.

October 30, 1969; Western Washington State University, Bellingham, Wash.; Connie Matthews.

October 31, 1969; University of Washington, Seattle, Wash.; Connie Matthews.

November 4, 1969; Massachusetts Institute of Technology, Cambridge, Mass.; Douglas Miranda.

November 7, 1969; Portland State University, Portland, Oreg.; Kent Ford.

November 7, 1969; Ricker College, Houlton, Maine; James Coston, Al Carroll.

November 14, 1969; Washington State University, Pullman, Wash.; Anthony Ware.

November 14, 1969; Southern Illinois University, Carbondale, Ill.; Fred Hampton.

November 17, 1969; at two universities in Montreal and Edmonton, Canada; Fred Hampton, Willie Calvin, Jeri Eldridge.

November 20, 1969; Central State University, Wilberforce, Ohio; Fred Hampton, Willie Calvin, Jeri Eldridge.

November 20, 1969; Boston University, Boston, Mass., Floyd Hardwick.

November 20, 1969; University of California, Berkeley, Calif.; David Hilliard.

November 20, 1969; Los Angeles Valley College, Los Angeles, Calif; Elaine Brown.

November 23, 1969; University of Illinois, Circle Campus, Chicago, Ill.; Fred Hampton.

November 29, 1969; University of Illinois, Circle Campus, Chicago, Ill.; Fred Hampton.

December 4, 1969; Malcolm X Junior College, Chicago, Ill.; Rufus Walls.

December 4, 1969; University of Chicago, Chicago, Ill.; Bobby Rush.

December 5, 1969; Portland State University, Portland, Oreg.; Kent Ford.

December 7, 1969; Yale University, New Haven, Conn.; Douglas Miranda.

December 8, 1969; Northeastern Illinois State College, Chicago, Ill.; Rufus Walls.

December 9, 1969; New Haven College, New Haven, Conn.; Charles Pinderhughes.

December 10, 1969; University of Missouri, Columbia, Mo.; Andre Weatherby.

December 10, 1969; Portland State University, Portland, Oreg.; Kent Ford.

December 10, 1969; University of Washington, Seattle, Wash.; Kathleen Halley.

December 10, 1969; Niles North High School, Niles, Ill.; Bobby Rush.

December 11, 1969; Indiana University, Bloomington, Ind.; Robert O'Bannon, Keith Parker.

December 12, 11969; Trinity College, Hartford, Conn.; Robert Webb.

December 14, 1969; American University, Washington, D.C.; Stephen McCutchen.

December 15, 1969; San Francisco State College, San Francisco, Calif.; David Hilliard.

December 15, 1969; Portland State University, Portland, Oreg.; Kent Ford.

December 16, 1969; Malcolm X Junior College, Chicago, Ill.; Bobby Rush.

December 17, 1969; Cornell University, Ithaca, N.Y.; Charles Scott.

December 17, 1969; University of Hartford, Hartford, Conn.; Charles Pinderhughes.

December 18, 1969; College of San Mateo, San Mateo, Calif.; David Hilliard.

December 20, 1969; Malcolm X Junior College, Chicago, Ill.; Bobby Rush.

December 21, 1969; Case Western Reserve University, Cleveland, Ohio; David Hilliard.

ENVIRONMENTAL POLICY ACT OF 1969

The SPEAKER. Under a previous order of the House, the gentleman from Wisconsin (Mr. STEIGER) is recognized for 5 minutes.

Mr. STEIGER of Wisconsin. In keeping with the Environmental Policy Act of 1969, I am today introducing legislation to require Federal contractors to comply with Federal, State, and local air and water pollution standards in the performance of their contracts.

The Environmental Policy Act of 1969—Public Law 91–190—declares:

> It is the continuing policy of the Federal Government, in cooperation with State and local governments, to use all practical means and measures, including financial and technical assistance, in a manner calculated to foster and promote the general welfare, to create and maintain conditions under which man and nature can exist in productive harmony, and fulfill the social, economic, and other requirements of present and future generations of Americans.

This broad mandate has been utilized by President Nixon to insert necessary environmental considerations into the decisionmaking processes of the executive branch. Executive Orders 11507 and 11514 are prime examples. Executive Order 11507 requires that the Federal Government design, operate, and maintain its facilities with full consideration given to their environmental impact. Executive Order 11514 requires that the Federal agencies institute measures needed to direct their policies, plans, and programs so as to meet national environmental goals. Mr. Speaker, it is my belief that the Congress has been too slow in following the President's example. The bill I am introducing today is designed to move the Congress in that direction.

The purpose of the bill is to require that persons or corporations contracting with the Federal Government in an amount to exceed $10,000 in any fiscal year violate no Federal, State, or local pollution laws, standards, or ordinances. Payment on contracts under the act shall be contingent upon certification of the Environmental Protection Agency—when effective—that the contractor has complied with the provisions of the act. The bill also provides that contractors violating their obligations under this act will be barred from further Federal contracts for a 3-year period or until the EPA certifies that the contractor has provided satisfactory assurances against further disregard of such obligations. It is my intention that such decisions should be subject to review pursuant to the provisions of title 41 United States Code.

Mr. Speaker, the Government enforces basic policy decisions in many areas. Federal contractors must now pay federally established minimum wages, not discriminate in hiring, and must provide safe working conditions for their employees. The bill I am introducing today is consistent with the rationale of these existing requirements.

In short, we must insure that the Federal Government does not indirectly violate its own standards and those of State and local governments in the course of conducting its business.

MONTH-BY-MONTH REVIEW OF 91ST CONGRESS

The SPEAKER. Under a previous order of the House, the gentleman from North Dakota (Mr. ANDREWS) is recognized for 15 minutes.

Mr. ANDREWS of North Dakota. Mr. Speaker, I have prepared a month-by-month review of this second session of the 91st Congress to date for the people I am privileged to represent.

JANUARY

As the second session of the 91st Congress convened, President Nixon stressed control of pollution, inflation, and crime in his state of the Union message. I voted to sustain the President's veto of the fiscal 1970 Labor-HEW appropriations bills, as I wrote in my newsletter at that time, because compromises assured by the President and proposed reforms in programing were in the best interest of education in North Dakota. We later secured some of the modifications.

FEBRUARY

The President sent a $200.8 billion fiscal 1971 budget to Congress and predicted a surplus of $1.3 billion. For the first time in years the amount to be spent to meet domestic human needs exceeded amounts going for military operations.

Our Appropriations Committee began hearings. The Labor-HEW money bill for fiscal 1970 was finally approved as was a bill to exempt potatoes for processing from marketing orders. We also authorized $30 million for the national school lunch program, extended the Community Mental Health Centers Construction Act and three grant programs for public health training.

MARCH

We approved a program for preservation of additional historic property throughout the United States, the Water Quality Improvement Act to clean up our Nation's waterways and the District of Columbia crime bill, which includes pretrial detention for those accused of major crimes and mandatory sentences for repeat offenders.

Also approved were supplemental pensions for 60,000 retired rail workers and cigarette advertising was removed from radio and television effective January 2, 1971.

In my March report to constituents I endorsed the President's innovative 37-point program to begin the task of cleaning up our environment and, as I have every year I have been in Congress, I was appointed to the delegation attending the Canada-United States Interparliamentary Conference.

APRIL

We approved a 3-year, $24.6 billion extension of the Elementary and Secondary Education Act, including aid to federally impacted schools and passed the welfare reform bill, with work training provisions to help people get off the welfare rolls.

We also approved a $4.1 billion education appropriations bill, after a number of us managed to get this part of the bill separated from Labor, Health, and Welfare so it could be enacted in time for administrators planning the 1970–71 school year.

The House also voted to increase railroad retirement by 15 percent, exclude sexually oriented material offered for sale to minors from the mail, authorize $17.5 million for the Arms Control and Disarmament Agency and adopt a resolution designating May 1 as a day for an appeal for international justice for the GI's who are prisoners of war in Southeast Asia.

MAY

We secured approval of an amendment authorizing $2.5 million to solve the critical fiscal situation facing Grand Forks and other school districts in their efforts to educate children of military personnel. The House also approved an expanded and improved lunch program for needy schoolchildren, the Airport and Airway Development Act, the National Traffic and Motor Vehicle Safety Act, plus a $527,630,000 authorization for the National Science Foundation. We voted to increase and liberalize social security benefits, providing also that future adjustments be keyed to the cost of living and made automatically. Additionally, the House approved a $2.5 billion appropriataion for the Department of Transportation, including $290 million for the SST to which I strenuously objected—although we lost the fight in a close vote. The House approved a resolution, which I cosponsored, establishing a Joint Committee on the Environment and extended the National Foundation on the Arts and Humanities.

JUNE

The House extended the Hill-Burton program for hospital construction and approved bills to establish nationwide pollution standards, liberalize benefits for veterans and their widows, set up a 3-year pilot Youth Conservation Corps program, extend the Voting Rights Act while lowering the voting age to 18, adopt the postal reorganization plan creating an independent Government agency called the U.S. Postal Service, restore the Golden Eagle program and the Emergency Home Financing Act to provide additional funds for home mortgages.

In the Appropriations Committee we approved the public works bill providing funds for key projects in North Dakota, including Garrison Diversion, and with a significant boost over the budget, Pipestem Dam.

JULY

The House passed legislation to permit custom slaughterers to engage in retailing and wholesaling meat, to provide $3.15 billion in Federal law enforcement assistance funds in fiscal 1971, 1972, and 1973, and on July 9 defeated the Senate-passed Cooper-Church amendment designated to reduce the President's control over our Armed Forces.

We also voted to increase the availability of guaranteed home loan financing for veterans, extend unemployment compensation to some 4.8 million additional workers and extend and improve programs for assisting and training in the allied health professions, and to amend and improve the Mental Retardation Facilities and Community Health Centers Construction Act.

AUGUST

The House passed the Environmental Education Act, the Federal Railway

Safety Act, the Comprehensive Health Planning and Service Act of 1970, and a resolution providing for a constitutional amendment on equal rights for women.

Also passed was the Agriculture Act of 1970, a bill frankly disappointing to those of us who led the fight for the coalition bill which had the backing of all North Dakota farm organizations and 33 national agriculture groups.

I voted to override Presidential vetoes on the Education and independent offices—HUD appropriations bills.

SEPTEMBER

We approved a major Congressional reform bill and authorized $165 million in grants for communicable disease control, restricted the mailing of unsolicited credit cards, authorized an additional $1 billion for construction of community water and sewage facilities, plus a comprehensive Drug Abuse Prevention and Control Act.

The House and Senate met jointly to hear Presidential representative Frank Borman speak on Americans held captive in Vietnam.

Also approved were the Urban Mass Transportation Act, a bill to provide guards on U.S. commercial aircraft and a conference report establishing uniform Federal railroad safety standards.

OCTOBER

Before the recess, the House passed the Organized Crime Control Act, which contains six specific proposals to battle crime I cosponsored three years ago, and completed action on the Legislative Reorganization Act.

As a sponsor of the water bank bill I was gratified we were able to get House approval of this proposal which provides an alternative to continued draining of wetlands so important to migratory waterfowl and other wildlife.

We also passed a comprehensive Manpower Act, and finally the conference report on the Agriculture Act of 1970. The Senate made some significant improvements in the House agriculture bill and, while the final falls short of what we fought for, it contains, I believe, the best programs we could get at this time.

While, of course, there can be no total on outlays until after action is completed on all funding bills, the largest single item—defense—will amount to about 34 percent of the total budget compared to a level of approximately 44 percent during the peak Vietnam war year of fiscal 1968. Spending on Vietnam that year reached nearly $30 billion, but this year it will be around $14 billion. During the last 4 years, our Appropriations Committee has cut nearly $15 billion from the overall Defense budgets. This does not mean the defense posture of our Nation is weakened, but it does reflect the reduction of our involvement in Vietnam, the insistence by the Congress that the Pentagon adopt a more responsible attitude about spending money, and a revision of our national priorities toward domestic needs.

The 91st Congress, based on its record to date, will be remembered for many things—some good and some bad.

Despite some inspired leadership by the administration and some very hard work on the part of many Members of Congress, we are not seeing the rapid improvement we seek in the quality of life in America. It can be said, however, that things are not getting worse as fast as they were in 1960's.

The national crime rate is still climbing, but not at the horrible rate it did in the last decade.

We still have inflation, but prices are not going up as fast as they did a few years ago.

While the war in Vietnam continues, the casualty figures are the lowest in years and we have started to bring our GI's home in increasing numbers. We all hope the President's proposal for a cease-fire is successful.

These are just some of the topics which Congress has been dealing with that are covered on a month-to-month basis in this recess report to the people of North Dakota's First Congressional District I am privileged to represent.

PANAMA CANAL: "THE NUCLEAR BULLDOZER" REVEALED

The SPEAKER. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 15 minutes.

Mr. FLOOD. Mr. Speaker, the interoceanic canal problem is a fascinating subject because it is inexhaustible, with new angles steadily appearing. Among such angles that I have repeatedly discussed in addresses and statements to the House are the nuclear, environmental, and ecological. It has, therefore, been both interesting and gratifying to note in my recent reading how some of the ideas voiced before this body have permeated lay writings.

The most recent example of such thinking is a section in the 1970 volume by Gordon Rattray Taylor entitled "The Doomsday Book," published by Thames and Hudson, London, England, 1970. In this, Mr. Taylor summarizes information about the nuclear and ecological aspects of the interoceanic canal problem, emphasizing that the fresh water Gatun Lake is the real barrier protecting both the Atlantic and Pacific oceans against the dangers of biological catastrophe, but he fails to mention any valid way to meet the threat of a sea level construction project.

As I have pointed out many times, the only sensible way to solve the problem of increased transit facilities at least cost and without treaty involvement is the major modernization of the existing Panama Canal according to what is known as the terminal lake-third locks plan. This plan, developed in the Panama Canal organization as the result of World War II experience, would not only supply the best operating canal at least cost but would enlarge the present fresh water Gatun Lake and thus avoid the ecological hazards feared by marine biologists.

It is interesting to note that in the references cited by Mr. Taylor is an article by Dr. John C. Briggs on "The Sea-Level Panama Canal: Potential Biological Catastrophe," which I quoted in an address to the House in the CONGRESSIONAL RECORD of August 4, 1969.

As the indicated excerpt in the Taylor book is illuminating, I include it as part of my remarks as follows:

EXCERPT FROM THE DOOMSDAY BOOK BY GORDON RATTRAY TAYLOR; THAMES AND HUDSON, LONDON, 1970

THE NUCLEAR BULLDOZER

I was Harold Brown, the director of the Livermore Laboratory in Berkeley, California, who first put forward the idea of using nuclear explosives to dig a canal. The year was 1956, and the Israeli-Arab war had closed the Suez Canal. Brown suggested that the world's shipping could be saved its enforced journeys round the Cape of Good Hope by digging a new canal across the Sinai Peninsula, running from the Gulf of Aqaba to the Mediterranean. This could be easily done by using nuclear explosives to blast a furrow through the desert.

Though the idea was politically impractical, the idea of using nuclear explosions as a super bulldozer, capable of moving masses of earth rapidly, took root. Always anxious to find new justification for its existence, the Atomic Energy Commission set up a team under the general heading Project PLOWSHARE. One of the applications dreamed by this group was to dig a harbour at Cape Thompson. The journal *Environment*, published by the American Committee for Environmental Information, tersely summarized the risks thus: "There were no compelling economic reasons for the harbour, and Alaskan Eskimos were already getting more radio-activity in their diet than other people. Eskimos eat caribou; caribou eat lichen; lichen concentrates cesium–137 and strontium–90 from fallout."

The Eskimos and others protested so strongly against the radiation risks that the idea was dropped.

The American AEC prefers the term 'geographical engineering' for its PLOWSHARE-type activities. '"Geographical engineering" describes the use of nuclear explosives to change the geography of our planet,' it says in a booklet issued by its division of technical information, 'digging sea-level canals between oceans, stripping overburdens from deep mineral deposits, cutting highway and railway passes through mountains, creating harbours and lakes where none existed before, and altering watersheds for better distribution of water resources. Nor do proposals for peaceful uses of nuclear explosives stop with large-scale earth-moving. Also envisioned are constructing underground reservoirs, increasing gas-well productivity, and controlling subterranean water movement. Eventually, the energy from nuclear explosives may even be used for underground desalting of seawater, for producing steam, and for creating basic industrial chemicals directly from mineral deposits.' They also mention the kind of mining operations I have already described and add, 'The shattering effect and heat of nuclear explosions may one day enable recovery of vast oil reserves from sand and shale formations that are now uneconomical to exploit.'

The AEC does not give any indication of how much radioactivity all these various operations are likely to release, and probably does not know, but the resumption is that it would be considerable. It concedes that this would be a danger 'if not properly controlled' and also mentions possible risks from 'ground shock', 'base surge' and 'air blast'. It does not mention earthquakes.

The first nuclear explosion specifically for the PLOWSHARE programme was Project GNOME, which melted 2,400 tons of rock, leaving a cavity of nearly a million cubic feet capacity underground. The intention was to explore the possibility of using the heat developed as a source of power. Water would be pumped into the scorching hot cavity and turned to steam which could, in principle, be made to drive dynamos or do other work. GNOME was a mere 3.1 kiloton shot. It proved rather a disappointment. Thirteen thousand tons of colder rocks 'were blown or collapsed into the molten pool from the walls and ceiling. As a result the melted material was

cooled suddenly and the heat distributed throughout a much larger mass. Thus it was not possible to recover any appreciable amount of the heat. Moreover, studies indicated that the steam produced was very corrosive.' It would not, the AEC concluded, be economic to use it.

Seven months after GNOME, a much more ambitious project, SEDAN in which 200 kilotons (equivalent) were exploded, took place. Says the AEC, "The effect of the SEDAN explosion was awesome.' Though the charge was fired an eighth of a mile below the surface, it excavated a crater 1,200 feet in diameter with a volume of 5.5 million cubic yards. The Defense Department helped out with two more shots in 1962, HARDHAT and DANNY BOY. HARDHAT yielded so little radioactivity that it was felt that industrial nuclear mining was 'on'.

In his book *Project Plowshare,* Ralph Sanders lists many specific ideas, such as blasting new harbours on the west coast of Africa or in South America. These could be so deep that much larger ships than any now in use would use them, which might reduce the cost of ocean transport. 'The imagination and effort devoted to the PLOWSHARE program must be great and relentless,' concludes the AEC with relentless fervour.

Meanwhile the idea came up of blasting a harbour in northern Australia, near Cape Keraudren. This region is rich in natural resources, such as nickel and iron, but they are hard to get out as there is no large harbour for a thousand miles. However, Port Hedland harbour, already equipped for ore-handling, is only 100 miles off, and could be enlarged. A feasibility study was launched jointly by the Australians and the Americans in 1966. The plan called for the explosion of five 200-kiloton shots buried offshore. All was going well, with early 1970 in view as the firing date, when the principal customers for the iron ore, the Japanese, indicated that they thought the price of the ore would be too high. This was as well, since the date set allowed little or no time for studies of the effect on the environment, or on people. No public announcement was made of how many people would be at risk, and how many people would have to be evacuated. There are no nuclear explosions without the release of some radio-activity to the environment, but nothing was said about the possible effect on sheep and cattle, on which Australia so largely depends. It would also be essential to discover whether any plants concentrate cesium or other nuclides in the way lichen does, and what of the danger that contaminated soil might be blown to great distances and there descend? In the dry, torrid climate of Northern Australia, the risk is far more serious than in the Arctic. Just before the Japanese pulled out the props, three Australia scientists from Sydney University, Professor A. E. Alexander, Professor L. C. Birch, a physical chemist and a biologist respectively, together with N. A. Walker, the Associate Professor of Biology, issued an appeal for a two-year ecological study of land and sea areas involved, and for evaluation to be carried out by an independent body. Menwhile, the Australia and American atomic energy commissions have said that they will study the possibility of using nuclear excavation at other sites in the area.

Unwilling to abandon the rich iron deposits, the mining companies have now come up with another plan: to extract the ore itself with nuclear explosives. This time the plan is to place three to five 10-kiloton charges 800 feet down, which is about 450 feet below the ore body, spaced at intervals. It is hoped this would shatter some 45 million tons of ore. It would then be necessary to wait for up to six months for the radio-activity to subside somewhat. The hope is that much of it will have been trapped in a glassy mass of once-molten rock. The charges foreseen for this plan, know as the Wittenoom plan, are certainly much smaller than for the harbour, but they are large enough and ecological surveys should certainly be made and independently evaluated.

In the US, Kennecott Copper has been investigating a similar project with AEC co-operation, at Safford, Arizona, about 150 miles north-east of Tucson. In this case, after the blasts, the metal would be leached out chemically, thus limiting exposure of personnel to radio-activity.

Meanwhile, an even more grandiose idea had surfaced: to dig a ditch across the Isthmus of Panama, thus making a sea-level canal, which need have no costly and time-consuming locks to raise ships to higher levels, such as there are on the existing Panama Canal. When this was opened in 1914, its 110-foot by 1,000-foot long locks seemed big enough. Today they are too small for the world's 500 biggest ships, many of which are mammoth oil tankers.

In 1964, President Johnson established a Canal Study Commission to report on the need for such a canal and the cost of making it, and the best position. Though originally due to report in 1968, the date of the final report has been postponed until December 1970.

Meanwhile, the AEC began making test explosions, with soothing code names like SULKY and PALANQUIN. Since some thirty possible sites for the new canal have been suggested, it is impossible to be definite about the amount of nuclear exposive required, but for Route 17, the most popular candidate, a total of 166 megatons would be needed, according to a recent calculation. (For purposes of comparison, the San Francisco earthquake was equivalent to a 100 megaton explosion.) As the largest cratering test so far conducted is only 100 kilotons, one thousand times smaller, the AEC can only guess ("extrapolate" is the polite word) what the effects of this fantastic sequence of blasts would be. According to one authority, large explosions are less effective at earth moving than small ones, so that one 50-megaton and three 25-megaton shots might have to be fired together with many smaller ones to fill the gaps.

A team from ESSA (Environmental Science Services Administration), sent to study the meteorological aspects, found a complex pattern of winds, and ESSA's E. A. Martell foresees an "extended east-west radio-active cloud source for which the fall-out pattern would be widespread and unpredictable. Areas which may receive significant fall-out include Costa Rica, Panama, northern Colombia, and north-west Venezuela." And he goes on to say: "The fact that Central America is an active earthquake area further magnifies the difficulty of predicting effects. There is a real possibility that the nuclear detonations would trigger large earthquakes at great distances." It would also be difficult, he says to predict the effect of the waves which would be caused, while the air-blast might damage inhabited areas hundreds of miles away.

Professor LaMont Cole of Cornell University goes further. He calculates that the cesium fall-out from the explosions would provide 26.5 limiting doses for everyone on earth, since the radio-active cesium would enter the food-chains and end up everywhere. It might also affect the hurricane pattern, ruin the fishing and shift or destroy the Gulf Stream. This may be too pessimistic, but it does call in question the right of one nation to expose the rest of the world to such a risk.

This is no place to explore the engineering and other problems associated with this project, but something must be said about the people who would have to be evacuated. "Preliminary evacuation plans anticipate that over 30,000 people from areas near Routes 17 and 25 would have to be resettled elsewhere for a few years." Of course, if the radio-active cloud descended unexpectedly in some area supposed safe, there would have to be emergency evacuations as well. In the case of Route 17, people affected would be the Cuna Indians at the Caribbean end, the Choco Indians in the central and southern areas and various Colombian immigrants and colonists from central and western Panama. Martell observes that construction of the canal on Route 17 "would all but destroy the Cuna Indians and their culture". Some would hide in the jungle and be killed by the blast, but those that did not could never return to their haunts, which would be taken over for defence areas and supporting communities.

Finally, there is the ecological risk. Since the tides on the Pacific side run to much greater heights than the Atlantic tides, strong currents would flow through the channel, carrying many species from one ocean to the other, and perhaps lowering the temperature of the Caribbean. Ira Rubinoff, the Assistant Director of the Marine Biology Department of the Smithsonian Tropical Research Institute at Balboa, says that only one fish is known to have got through the existing canal and to have bred. The fresh-water lake in the middle is the real barrier, not the locks; similarly in the Suez Canal, the salty Bitter Lakes constitute a barrier. He adds that when two species interbreed, the result can sometimes be extinction of both, if the "crosses" which result are inferior to the parent lines.

When the Welland Canal to the Great Lakes was opened, the sea lamprey got in. Nearly a hundred years later, a lamprey population explosion occurred, decimating the white fish and trout in the lakes. The fishing industry lost millions of dollars, and the US and Canada chipped in $16m. in an attempt to solve the problem. Says Rubinoff: "Spectacular as some of these cases may have been, they are minor by comparison with what would be expected to result from the construction of a sea-level canal in Central America. The mutual invasions of Atlantic and Pacific orgaisms should be much more extensive, numerous and rapid, and their ultimate consequences should be quite incommensurable with any biological changes ever recorded before."

Seeing that this is only the first of many such proposals, I join with him in urging the appointment of an independent Commission for Environmental Modification, with adequate funds and power to review all alterations of the environment, on a worldwide basis. Late in 1969, following this and many other protests, the National Academy of Sciences set up a Committee on Ecological Research at the request of the Canal Study Commission to go into the problem—a step in the right direction.

When a Panama canal was first proposed, in the nineteenth century, some argued that such a project would be against God's will, as he had clearly intended the Atlantic to remain separated from the Pacific or he would not have left a strip of land joining the two Americas. Today western man is not troubled by any such scruples and he is sublimely indifferent to those, less arrogant, who prefer the planet the way it is. But his ambition does not stop at joining oceans, he would even abolish the ice-caps.

REFERENCES

Plowshare . . . *Plowshare,* Atomic Energy Commission, 1966.

Australian harbour . . . V. Brodine, "Six Questions for Australians", *Environment* (1969) *11*(3): 16–19; and "Unsnug Harbor", *Environment* (1969) *11*(4):54.

Another plan . . . W. A. Scholes, "Nuclear Perseverance, *Sci. News* (1969) *96*:408–9.

Sea-level canal . . . E. A. Martell, "Plowing a Nuclear Furrow", *Environment* (1969) *11*(3):2–10, 12–13, 26–8; J. C. Briggs, "The Sea-Level Panama Canal: Potential Biological Catastrophe", *Bio-Science* (1969) *19*:79–84; *News Report* (of Nat. Acad. Sciences) Aug–Sept. 1969.

Rubinoff . . . "Central American Sea-level Canal: Possible Biological Effects", *Science* (1968) 161:857–61.

CONGRESSMAN KEE'S REPORT TO THE PEOPLE OF THE FIFTH CONGRESSIONAL DISTRICT OF WEST VIRGINIA

The SPEAKER. Under a previous order of the House, the gentleman from West Virginia (Mr. KEE) is recognized for 60 minutes.

Mr. KEE. Mr. Speaker, I have asked for this time to address the House in order to present my official report on my service in the 91st Congress to the residents of the Fifth Congressional District of West Virginia.

While the record of the 91st Congress as a whole cannot be fully analyzed until the second session draws to a close, I want to take this opportunity to set forth very briefly an outline of my service, some of the main issues faced by the Congress, and how they were handled up to the present time.

On March 26, 1970, I asked for time to address the House in order to present my official report to the residents of the Fifth Congressional District of West Virginia, to cover my legislative activities during the first session of the 91st Congress, and that part of the second session up to and including March 26.

Overall, the 91st Congress can best be described as a responsible, working Congress that made far-reaching contributions to the Nation and one that will be remembered for its legislative "firsts" in several important areas.

From the very beginning the temper of the American people had penetrated this body. Legislation ranging over a large spectrum of problems facing the average American citizen were considered and enacted. Such issues as tax reform, inflation, environmental and conservation measures, crime and law enforcement, equal rights for women, education, national defense, draft lottery, legislative reform, health, including the all-important Coal Mine Health and Safety Act of 1969, which includes Federal compensation for pneumoconiosis, medicaid, housing, unemployment compensation, social security benefits, as well as the needs of our veterans.

For the first time since World War II, there was the most searching congressional inquiry into and debate on the foreign and military spending policies of the executive branch of the Government, thus renewing one of the most powerful roles of the Congress under the separation of powers provided by the Constitution. In large measure, the length of the first session, which was the longest since 1963 and the sixth longest in history, was due to the extended debate on defense procurement authorization and appropriation bills.

Congressional participation in establishing national policies is a healthy thing for our Nation. It can be particularly beneficial when there is at the same time full realization by Congress of the responsibilities involved when it extends the power of the purse over the shaping of foreign policy. Open debate can provide the necessary guidelines for proper congressional control over appropriations, subject to the Executive veto power. It is in this way that Congress can limit military spending, which they did by cutting billions from the President's defense budget in both sessions without affecting funds for food, clothing and any other necessities required to protect our troops.

Continuing their realization of the importance of our foreign policy, the Congress on September 29, 1970, expressed their concern over the threat of Russia's building up the military power of the Arab countries in the Middle East to such an extent that they would enter upon a war determined to destroy the State of Israel, by authorizing the President to furnish Israel with aircraft and other weapons as she may need to ward off and defend herself against any aggression that might occur. The clear and present danger to world peace from such involvement is a matter of grave importance to the United States.

In analyzing the legislative "firsts" the House acted to modernize the process by which the American people elect their President and Vice President. In a historic action, the House on September 18, 1969, passed an amendment to the Constitution which would provide, upon passage by the Senate and ratification by the necessary number of States, for direct election of the President and Vice President. This action to abolish the electoral college, which has elected the President since the beginning of the Republic, meets with the approval of fully 80 percent of the American public. I think the House was well advised in its action. The Senate, after considerable debate on this legislation, on September 29, 1970, postponed action on it.

For the first time in a quarter of a century the House sought to reform its rules and procedures. By a record vote of 326 yeas to 19 nays the House passed H.R. 17654 to improve the operation of the legislative branch of the Federal Government. It has been some 24 years since a reorganization bill has been passed by the House of Representatives. But this bill is even of greater significance in that, so far as the House is concerned, it changes the House rules. Some of the amendments which were passed provided that teller votes be recorded by clerks or electronic devices on demand of one-fifth of a quorum; required that a record of all rollcall votes in committees be available to the public; prohibits proxy voting in committees; and permits the use of electronic devices to record rollcall votes. I am pleased to report that I voted for this bill.

Likewise, for the first time since 1923, when it was first introduced the House approved the equal rights amendment. I signed the discharge petition to bring it to the floor of the House for debate. I was glad to support this measure because I feel the time is long past due to remove from our laws any discrimination on account of sex.

The desirability of providing a constructive outlet for the tremendous commitment and energy which our Nation's young people have demonstrated over the recent months and years brought about the extension by Congress of the Voting Rights Act, one of the landmark civil rights laws, by approving the vote for 18-year-olds. There could be no clearer indication from the Congress that we welcome the interest and participation of these young Americans in the political process.

The most comprehensive tax reform bill in history became law, largely through the initiative and work of the Congress. It is a judicious mix of reform and relief. It includes a whole new concept in the tax law, a "minimum tax" aimed at preventing wealthy individuals or corporations from completely escaping the Federal income tax. It passed the House 395 to 30 on August 7, 1969, and was signed into law December 30, 1969. I voted for the passage of this bill.

The postal reform bill is another achievement of the 91st Congress. The new law abolishes the Post Office Department and creates in its stead the U.S. Postal Service, within the executive branch, to own and operate the postal service. The new service is to be governed by a commission serving rotating terms of office. The law also contains prohibitions designed to end political influence in the postal service.

On the whole, the new law demonstrates an effort by the Congress to eliminate huge postal deficits and represents an action which the postal workers and general public appear to favor. I voted for the bill because I was hopeful it would bring improvements in our overall postal system.

The 91st Congress shifted our national priorities by providing increased funding of needed health, education, and welfare programs. In the process, there was one Presidential veto of the Health, Education, and Welfare appropriation bill, upheld by a narrow margin, and a later veto of hospital construction funds which was overridden. More recently, the President vetoed the education and independent offices appropriation bills. The education veto was overridden by the House while the independent offices appropriations veto was sustained. I voted to override these vetoes.

Some of the highlights of the almost continuous first and continuing second sessions which, on the whole, is seeking to be responsive to the needs of the Nation are the following:

HEALTH

In the first session, Congress took a strong step to strengthen protection for the health and safety of the more than 144,000 coal miners in the United States. It had become clearly evident that if we were to have any impact on the high accident rate, we needed a law that would give the broader enforcement powers to the inspector and thereby provide stronger incentives for management and labor to think of safety at all times. It was for this reason that I introduced the first legislation dealing with these problems. My bill, H.R. 9850, which provided for the payment of benefits for death or total disability due to pneumoconiosis—or black lung—was incorporated into the Federal Coal Mine Health and Safety Act of 1969, which was signed into law on December 30, 1969, under title IV.

Since Congress took this strong step to strengthen protection for the health and safety of the coal miners, according to

the Social Security Administration, the State of West Virginia as a whole has received $5,575,000 in benefits; and the Fifth Congressional District is receiving benefits totaling $586,788 per month. To date 3,058 miners and widows and 2,962 wives and children have received benefits in my district.

I also introduced a bill to amend the Social Security Act to make provision for the payment of benefits to coal miners afflicted with pneumoconiosis, as well as to disabled railroad employees. H.R. 10499 would also extend the medicare program to individuals receiving cash benefits based on disability without regard to their age.

There has been a fresh impetus for a national health care system, for it is clear that changes are needed not only in the way in which medical care is financed in this Nation, but in the way in which it is delivered. Congress should make possible a 20th century health care system to provide 20th century health care services. There is no doubt that health care reform should be a top priority issue for the Federal Government. I have, therefore, introduced H.R. 19284 to create a national health security program.

SOCIAL SECURITY

Congress during the first session provided for an across-the-board increase of 15 percent in social security benefits. However, since social security payments were increased a year and a half ago, the cost of living had increased 10 percent. Therefore, this token increase at that time left the majority of social security recipients living on incomes below the subsistence level. At present there are 1.2 million elderly social security recipients who must rely on old-age assistance. Inasmuch as there is no provision in their benefits for escalation in line with the steady increase in the cost of living the House passed legislation providing for a 5-percent increase in social security benefits, and also including new provisions for an automatic adjustment of benefits geared to the cost of living. The 5 percent would become effective January 1, 1971, and also increase the income payment base from the present $7,800 to $9,000.

The Senate Finance Committee on October 1, 1970, approved a 10-percent across-the-board increase plus a boost in the minimum monthly payment from $64 to $100. This action will require approval on the Senate floor and then in a House-Senate conference. In the event this legislation is enacted into law the administration is actively considering the postponement of this social security tax increase. I am opposed to this deferment and strongly feel that the Congress should retain control of the social security program which was initiated by your Congress.

ECONOMIC DEVELOPMENT

In an effort to improve economic conditions Congress is continually fighting for economic development by passing amendments to the Public Works and Economic Development Act which extends the Appalachian Region Development Act until June 30, 1971 and to authorize, exclusive of highway construction funds, $294 million for the 2-fiscal-year period; as well as extending the highway portion of the act until June 30, 1973, and to authorize $695 million for the 4-fiscal-year period.

As a Member of the House of Representatives my assignments on the House Public Works Committee include membership on the Special Subcommittee on Economic Development Programs and the Ad Hoc Subcommittee on Appalachia. These subcommittees are directly concerned with Appalachia and economic development, where I served as cosponsor on these legislative measures.

It was through the Appalachian regional program that provision was made for Federal participation and the construction of Appalachian regional highways, as well as other programs, such as hospital construction, health services, water and sewerage improvements. On September 30, 1970, I made available to my constituents a report on the projects approved for the Fifth Congressional District under the Appalachian Regional Act from the inception of this program through May 1970, with the exception of the amounts obligated for Appalachian Development highways, in the total amount of $14,148,521. Also, on August 27, 1970, the Montgomery General Hospital was granted additional Federal funds for bed addition and modernization.

Under the Economic Development Administration Act, which has a field office in Oak Hill, both grants and long-term, low-interest-rate loans are provided for the establishment of private enterprise. The Fifth Congressional District established the very first multicounty economic corporation in the United States with headquarters in Bluefield. Such projects as Hawks Nest State Park in Fayette County with a total Federal investment of $1,917,000; Twin Falls State Park in Wyoming with a total Federal investment of $4,423,000; and Pipestem Addition, Bluestone State Park in Mercer and Summers Counties with a total Federal investment of $13,103,000 have been set up under this act.

A Federal investment exceeding $600 million has been granted to our district since 1965.

Motivated by the congestion in our cities and suburbs, while our rural population declines the House Public Works Committee, of which I am a member, on October 2, 1970, reported out H.R. 19504, the Federal Aid Highway Act of 1970, which I cosponsored. The bill authorizes the Secretary of Transportation to make grants for demonstration projects for the construction, reconstruction, improvement, planning, surveying, and investigation of highways that would lead to the development of economic growth centers and surrounding areas. The basic purpose of this provision and the end toward which its administration should be aimed is the improvement of all aspects of the rural areas and small communities of this Nation so as to encourage a more balanced population pattern.

The Federal share of the cost of any projects is a maximum of 70 percent with the funding provided by the highway trust fund, and does not require the States to reshuffle their existing Federal-aid priorities in order to participate.

As stated in the report:

It is the intent of the Committee that in progressing to the future highway program and increased federal participation that whenever traffic volumes are in the order of magnitude of those of the Interstate System and whenever practical, comparable projects for primary highways should be built to Interstate. Such routes as Rte. 52 in West Virginia and Rte. 219 in Pennsylvania are typical of routes badly in need of improvement which could benefit from this section.

Due to the loss in population in States like West Virginia over the past 10 years and the steady rise in unemployment, the Congress is pushing for the enactment of this legislation before the end of the 91st Congress.

HOUSING

America faces a disastrous housing shortage; the worst since the end of World War II. This is caused by skyrocketing interest rates. As a matter of fact, the average mortgage rate on homes has just reached a still higher level, exceeding 8 percent. In turn, this is devastating the homebuilding and construction materials industries. Most authorities agree that America requires a minimum of 2.6 million new homes annually to keep pace with population growth and loss of existing housing units.

The news media for some reason fails to remind the public that last December the Congress by a substantial vote in both House and Senate gave the President absolute authority under Public Law 91–151 to roll back interest rates 2½ percent and control all aspects of credit transactions in order to curtail inflation. That bill was signed by the President last December and has been dormant and molding in the files of the White House. The record of the administration on interest rates illustrates in unmistakable terms, the economic failures of the past 20 months. Prices and the cost of living continue to climb and interest rates remain at record levels. The law is left untouched while homebuilding continues to decline.

Recently, the House and Senate gave the President standby authority to stabilize prices, wages, rents, living costs, and so forth. The President signed this legislation on August 15. There has been no action since the President was given this authority.

I have worked for and supported every housing bill coming before the House during my service.

LABOR

In the field of labor, the Congress provided for the collection of Federal employment taxes on a quarterly basis, as well as legislation to promote health and safety in the construction industry in all Federal or federally financed or federally assisted construction projects. This legislation requires that no construction contractor or subcontractor may require an employee to work under any conditions that are unsanitary, hazardous, or dangerous to his health or safety.

Legislation to extend unemployment to, first, workers in agricultural processing activities; second, employees of nonprofit organizations; third, employees of State hospitals and universities; and fourth, employees of an American employer, who perform services outside of

the United States, as well as legislation to amend the Railroad Retirement Act to provide a temporary 15-percent increase in annuities, were enacted into law. I supported both measures.

CRIME AND LAW-ENFORCEMENT

Ever mindful of the increase in crime throughout the Nation the House on June 30, 1970, passed a bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 which is tailored to combat effectively the type of crime which threatens the average citizen on our city streets, such as rape, robbery, assault, and murder. It affords substantial genuine support to the frontline soldier in the war on crime—the man on the beat. It makes available in the coming year of $650 million in Federal grants to strengthen local police departments in their fight against crime. An additional $1 billion is authorized under this bill for this purpose for 1972 and $1.5 billion for 1973.

This bill has been pending in the Senate Judiciary Committee, but was reported out on September 29, 1970.

I also strongly supported the recently enacted District of Columbia crime and court reorganization bill because it constitutionally balances the needs of law-abiding citizens against the already-protected rights of the criminal. By letting criminals free on inadequate bail without adequate protection for the community at large, would be increasing the crime rate and sacrificing the safety of the law-abiding victim of criminals. One out of every three robbery suspects released on bail in the District is arrested for another offense before coming to trial.

DRUG ABUSE

Congress likewise realizing that the drug abuse in the United States was reaching alarming proportions passed by a unanimous vote of 290 to 0 a Drug Abuse Education Act of 1969 which authorized $29 million over 3 years for Federal grants to train teachers, lawmen, and other officials who, in turn, will carry truth about the drug misuse to children and their parents.

I also felt that one of the best ways to combat this problem is through a frank and straightforward presentation of the facts. This I attempted to do. In the spring of 1970 meetings were set up throughout my district for this purpose where I conducted a seminar with a group of knowledgeable men who presented the facts and encouraged discussions. I am pleased to report that not only were these meetings successful, but the information motivated interest by local groups and students. I plan to continue to hold similar meetings.

On September 26, 1970, the House followed through with additional legislation with the Drug Abuse Prevention and Control Act of 1970 which provides for sentencing procedures under which dangerous special drug offenders could be sentenced to increased punishment. This bill was ordered placed on the Senate Calendar on September 28, 1970.

ENVIRONMENT AND CONSERVATION

This Congress enacted the Water Quality Improvement Act providing for marine sanitation, removal of oil from navigable waters, and waste treatment works. The Clean Air Act amendments, also enacted will extend research on fuels and vehicles. A timber bill that purported to conserve forests while permitting increased cutting was kept back by a concerted House effort. And the 91st Congress quadrupled the administration's request for water pollution funds for fiscal 1970.

EDUCATION

Both sessions of the 91st Congress provided increased funding for education programs and this produced the severe tests between a new President and a Congress with the opposition party in control. Two Presidential education vetoes were overridden and in addition, the Congress renewed the Elementary and Secondary Education Act and increased the authorization for the NDEA student loan, workstudy and education opportunity grant programs, all very important to the Fifth District, our State and Nation, which I thought merited my support.

DRAFT

Criticism of the draft system led the President to request that Congress remove the prohibition against a draft lottery. This we did. Under the random-selection method, each eligible young man enters a lottery pool during his 19th year. If he is not drafted that year, it is very unlikely that he ever will be. By utilizing the lottery system, we have eliminated one of the major criticisms of the previous draft system—the extended period during which a young man has been kept in doubt about probable induction into the military.

VETERANS

The problems of our Nation's veterans, particularly the disabled ones, are great indeed. We here in Congress must never lose sight of the fact that many of the veterans problems were created because they answered America's call for help in two world wars, Korea, and now in Vietnam. We here in Congress have a solemn obligation to help those valiant men who have sacrificed so much so that they might have the opportunity to retain and fully enjoy our democratic freedoms.

The House of Representatives, in passing House Resolution 661, voted to commend the American serviceman and veterans of Vietnam for his efforts and sacrifices and let him know that Members of the House, regardless of their opinions about the national policy concerning the conflict, take note of the bravery and dedication in the service of his country that the American serviceman has exhibited.

This Congress has passed a series of very important bills aimed directly at improving benefits for veterans. The administration has opposed practically all of this legislation. Early in the Congress work was begun on a series of improvements in the education and training program. Most important among these was a proposal to raise education allowances by about 35 percent. Despite attempts by the administration to prevent improvement and expansion of the GI bill and its education program, a bipartisan Congress passed this legislation virtually without dissent, leaving the President with no recourse but to sign it.

During the past year over the objections of the administration we also acted to provide increased compensation for veterans' survivors. Public Law 91-96 changes the formula.

Congress has been greatly concerned with problems relating to the veterans hospital program, and has voted $105 million in additional funds to solve some of the serious problems confronting the medical and hospital program. The bill bearing this appropriation was vetoed by the President.

Another bill, H.R. 15911, which passed the House on September 21, 1970, increases the monthly benefit rates and the annual income limitations applicable in payment of non-service-connected disability and death pension to wartime veterans and their widows in the current program. Under this proposal the same would also apply to payments of service-connected dependency and indemnity compensation to parents of deceased veterans. While the bill has several significant features, one of the most important is that if H.R. 15911 were enacted into law, it would mean that those individuals who had social security increases of 15 percent, effective the first of this year, will not lose any of their VA non-service-connected pension. Moreover, on the whole, pension increases will average 9.5 percent, taking into account the 15 percent social security increase. This legislation is pending in the Senate Finance Committee at the present time.

Another bill, H.R. 16710, which passed the House on September 21, 1970, and the Senate on September 25, 1970, would authorize the Administrator of Veterans Affairs to make guaranteed and direct loans to paraplegic veterans for the purchase of mobile homes in those instances where the mobile homes are to be used for permanent dwellings.

POVERTY

As I stated in my previous report, we in the Congress recognize the need for strong governmental action to attack those problems of poverty and we have shown awareness of the need for substantial resources that must be committed to fight it. The Economic Opportunity Act was extended for 2 years. Sufficient success has been achieved by OEO in its experimental operation in the coordination of Federal agencies. Its services were never designed to be all inclusive and long range in the war on poverty, but to initiate programs which would immediately lift poor people out of poverty programs which require Government subsidies. These subsidies total $2,195 billion for fiscal 1970, and $2,295 billion for fiscal year 1971. Programs to which funding applies are Headstart, Follow Through, legal services, comprehensive health, emergency and food and medical program, family planning, senior opportunities, alcoholic recovery, and drug rehabilitation.

At present, about 25,400,000 persons, representing 13 percent of the population, live in virtual poverty. Of this large poverty population 42 percent are children, under 18, and 18 percent are elderly, over 65.

Congress passed, and the President signed into law on November 13, 1969, House Joint Resolution 934 which authorizes $610 million for the food stamp

program. This law does not change the program itself, but provides the Secretary of Agriculture with funds to deal with the problems of hunger and malnutrition.

MISCELLANEOUS

I have at all times been vitally interested in trying to help solve many other problems affecting the Fifth Congressional District of West Virginia. As a result, I introduced legislation to authorize a survey of the Gauley River and tributaries in West Virginia, in the interest of flood control, water supply, and recreation—this survey was authorized by the Public Works Committee; a bill to provide for the renewal and extension of certain sections of the Appalachian Regional Development Act of 1965; a bill to encourage the growth of international trade on a fair and equitable basis; a bill providing for Federal railroad safety; a bill to authorize a study for a waterway connecting the Kanawha River, West Va., and the James River, Va.; a bill to provide medicare benefits for disabled coal miners without regard to their age; a bill to extend the powers of the Federal Insurance Administration to make crime protection insurance available to small business concerns; cosponsored a concurrent resolution concerning prisoners of war or missing in action, as well as successfully providing an additional district judgeship for southern West Virginia.

CONCLUSION

In conclusion, permit me to state that these and other activities and concerns of your Congressman are matters which have made it a welcomed opportunity and a high privilege to serve in this office in the 91st Congress. I want to express my appreciation for all the letters and suggestions I have received during these sessions. Be assured that I welcome your continuing interest and recommendations for new legislation. I have, to the best of my ability, rendered conscientious service to our district. This is my legislative record in the 91st Congress.

SECRETARY LAIRD'S GUARD AND RESERVE POLICY DESERVES STRONG CONGRESSIONAL SUPPORT

(Mr. HANSEN of Idaho asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HANSEN of Idaho. Mr. Speaker, in a memorandum issued on August 21, 1970, Secretary of Defense Melvin Laird announced an important and far-reaching shift in national defense policy. Secretary Laird said that future reductions in defense expenditures "will require reductions in overall strengths and capabilities of the active forces, and increased reliance on the combat and combat support units of the Guard and Reserves."

Secretary Laird directed that emphasis be given "to concurrent consideration of the total forces, active and reserve, to determine the most advantageous mix to support national strategy and meet the threat." He said:

A total force concept will be applied to all aspects of planning, programming, manning, equipping and employing Guard and Reserve Forces. Application of the concept will be geared to recognition that in many instances the lower peacetime sustaining costs of reserve force units, compared to similar active units, can result in a larger total force for a given budget or the same size force for a lesser budget. In addition, attention will be given to the fact that Guard and Reserve Forces can perform peacetime missions as a by-product or adjunct of training with significant manpower and monetary savings.

He said that in any future emergency requiring a rapid and substantial expansion of the Active Forces Guard and Reserve units and individuals of the Selected Reserve will constitute the initial and primary source for augmentation of the Active Forces. In order to prepare for such a contingency the Assistant Secretary of Defense—Manpower and Reserve Affairs—will coordinate and monitor actions in order to achieve the following objectives:

Increase the readiness, reliability, and timely responsiveness of the combat and combat support units of the Guard and Reserve and individuals of the Reserve.

Support and maintain minimum average trained strengths of the Selected Reserve as mandated by Congress.

Provide and maintain combat standard equipment for Guard and Reserve units in the necessary quantities; and provide the necessary controls to identify resources committed for Guard and Reserve logistic support through the planning, programing, budgeting, procurement, and distribution cycle.

Implement the approved 10-year construction programs for the Guard and Reserves, subject to their accommodation within the currently approved TOA, with priority to facilities that will provide the greatest improvement in readiness levels.

Provide adequate support of individual and unit reserve training programs.

Provide manning levels for technicians and training and administration reserve support personnel—TARS—equal to full authorization levels.

Program adequate resources and establish necessary priorities to achieve readiness levels required by appropriate guidance documents as rapidly as possible.

Mr. Speaker, I enthusiastically applaud Secretary Laird's action. His memorandum is all the more welcome because many of us in Congress have long been advocating just such a policy. Reaction among my constituents has also been uniformly favorable.

During this period of continued threat to our national security Secretary Laird's announced determination to achieve a high degree of combat readiness of Guard and Reserve forces and to assure their capability to be responsive to any contingency for which they are needed are deserving of our support in Congress including adequate funding.

I have long had a personal interest in the Reserve components of our Air Force and know of the extraordinary service that many units and individuals have rendered to our country during times of need. The Air Force backup forces consist of the Air National Guard and the Air Force Reserve. Both organizations have flying, support, and medical units. The Air Force Reserve is unique in that it also has some 7,000 individual mobilization augmentees. These Reservists are in a category called the Ready Reserve and are available for immediate mobilization in the event of an emergency. These individuals support the Air Force in a myriad of activities, ranging from professional medical reservists to enlisted postal clerks. Their efforts are not only military in nature but are also being utilized in the area of community service, such as the CHAP—children have a potential—program and to conduct marriage clinics for young couples contemplating marriage. The Air Force Academy has more than 1,100 Reservists who assist in counseling high school graduates toward a military career through either the Academy or ROTC. These Reservists receive no pay but instead a few points toward retirement when they reach age 60. In 1969 these Reservists visited about 34,000 high schools, addressed about 535,000 people, spent about 242,000 hours in doing so, drove 1,992,000 miles in their personal cars and took an average of $198 out of their own pocket.

What can Congress do to help implement this important policy? We must insist that the Air National Guard and the Air Force Reserve are equipped with the planes and resources to accomplish their mission. In addition, we must recognize that our backup force also includes the mobilization augmentees who have been carefully selected and are accomplishing a mission which would be required in the event of mobilization.

Public Law 90–168, an outgrowth of congressional concern that is similar to the concern manifested by Secretary Laird in his memorandum, places responsibility with the respective Secretaries of the Military Departments for the readiness of Guard and Reserve units to respond to contingency requirements. Congress has also established a specific drill pay floor for the Reserves. On the basis of information available to us there is good reason to believe that the various services are treating the floor as a ceiling. This would be in direct contradiction of expressed congressional intent. Secretary Laird should reiterate to the various Service Secretaries the congressional intent to establish these as a floor and not as a ceiling for purposes of the Reserve training program.

Mr. Speaker, to further illustrate the nature and extent of the service rendered to our country by the Air National Guard and Air Force Reserves, I include the following as a part of my remarks:

AIR RESERVE FORCES ACCOMPLISHMENTS DURING MOBILIZATIONS

KOREA

Between June 1950 and December 1952, 187,000 members of the Air Reserve Forces were recalled to active duty. This included 45,500 Air National Guardsmen and 141,000 Air Force Reservists. The Air Guard contributed 22 of its 27 flying wings plus communications squadrons, engineer-aviation units, radar calibration detachments, and aircraft warning groups. The Air Force Reserve furnished all of its 29 flying wings plus some 118,000 individual Reservists not assigned to units.

Although some of the units were deployed to the combat zone almost immediately after recall, it was necessary to dissolve certain units in order to use their personnel more effectively in other organizations.

Of the 23 jet aces of the Korean war, 8 were from the Air Reserve Forces.

BERLIN

In October and November 1961, the Air Force ordered to active duty 27,000 members of the Air Reserve Forces, of which 21,000 were in Air National Guard units, 3,500 were in Air Force Reserve units, and 2,500 were Air Force Reservists called as individuals to fill vacancies in the recalled units.

Air National Guard units included four tactical reconnaissance squadrons, 18 tactical fighter squadrons, three fighter interceptor squadrons, six air transport squadrons, and a tactical control group plus headquarters and supporting elements. Air Force Reserve units included five heavy troop carrier squadrons with supporting elements.

Some 11,000 officers and airmen in the tactical control group and 11 of the flying squadrons were deployed to Europe. The initial phase of this deployment involved the largest single overseas flight of jet fighters in history when more than 200 ANG jets flew from the United States to Europe without accident or incident.

The three fighter interceptor squadrons were flying operational missions in Europe within 24 days after they reported for active duty.

General Curtis E. LeMay, then Chief of Staff of the Air Force, commented, "Never before has the United States Air Force depended so heavily upon the ability of the Air National Guard and Air Force Reserve to respond so quickly and effectively. Never before have the Air Reserve Forces met a challenge with such speed and efficiency."

All units recalled for the Berlin crisis were released from active duty by the end of August 1962.

In addition to the units recalled, ten Air Force Reserve air rescue crews volunteered for 60 days active duty to support the Air National Guard deployment to Europe.

CUBA

On the night of October 27, 1962, an order was issued calling up 24 Air Force Reserve troop carrier squadrons for duty during the Cuban crisis. The 14,000 Reservists involved in this recall reported for active duty the next morning, and, according to the Secretary of Defense, "Were operational and deployable within 30 hours" after the recall order. This was the most rapid mobilization of reserve forces since the American Revolution. Mr. McMamara called it a "fantastic performance" and went on to say, "This is the standard of performance that has been built into Air Force's Reserve and Guard program."

All recalled units were released from active duty by November 28, 1962.

Air Force Reservists called to active duty

KOREAN WAR 1950

Troop carrier wings	20
Light bombardment wings	5
Individual Reservists	118,000
Total recalled	141,000

BERLIN CRISIS 1961

Individual Reservists	2,947
5 troop carrier units	2,660
Total recalled	5,607

CUBAN CRISIS 1962

Troop carrier squadrons	24
Aerial port squadrons	6
Total recalled	14,000

PUEBLO CRISIS 1968

January:	
Military airlift wings (C-124)	2
Military airlift groups (C-124)	5
ARR Sq (HC-97)	1
Officers	812
Airmen	4,039
Total	4,851
May:	
Tactical airlift group	1
Aerial port squadron	3
Aeromedical evacuation squadron	1
Medical service squadron	1
Officers	134
Airmen	621
Total	755
Totals	5,606

POSTAL STRIKE OF 1970

200 Reservists (Postal Units): 2 Gps and 8 Flts.

DISASTER ASSISTANCE (C-119 UNITS)

Hurricane Camille (Aug-Sept 69): 54 missions, 380.6 hours, 215.90 tons, 140,611 ton-miles, 89 pax, 61,518 pax-miles.

Hurricane Beaulah (1967): 7 missions, 48 hours, 42 tons, 29,777 ton-miles, 16 pax, 8,083 pax-miles.

Operation Haylift (1967): 206 missions, 892 hours, 52 tons, 31,181 ton-miles, 102 pax, 45,609 pax-miles, 858 tons airdropped.

Hurricane Betsy (1966): 132 missions, 832 hours, 429 tons, 279,741 ton-miles, 518 pax, 220,112 pax-miles.

FOURTH WORLD ANTI-COMMUNIST LEAGUE CONFERENCE SUPPORTS THE CAPTIVE NATIONS

(Mr. DERWINSKI asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DERWINSKI. Mr. Speaker, the World Anti-Communist League, which is headquartered in Seoul, Korea, consists of representative organizations from over 70 free world countries. Its prime base still remains in free Asia, but since its inception in 1966 the league has rapidly expanded in membership and representation. In Asia it enjoys a broad popular base and reflects a solid anti-Communist solidarity that may well be realized on an intergovernmental level leading to the formation of a powerful regional security arrangement. This popular movement may well serve as the catalyst of a PATO, a Pacific Asian Treaty Organization.

The Fourth World Anti-Communist League Conference was recently held in Kyoto, Japan, on September 15–17. Its theme was mobilizing the forces of world freedom. As in all previous conferences, this one emphasized, too, the strategic importance of the captive nations, including those in the Soviet Union, for the fulfillment of world freedom. In accordance with our Congressional Captive Nations Week Resolution—Public Law 86–90—WACL unanimously adopted the resolution submitted by Dr. Lev E. Dobriansky of Georgetown University and chairman of the U.S. National Captive Nations Committee for a world-wide observance of Captive Nations Week in July 1971. It is hoped that the Fifth WACL Conference, scheduled for Manila, the Philippines, in 1971 will be coincident with Captive Nations Week, July 18-24. Its effect throughout the Red empire would be electrifying.

For the studied consideration of our Members and the readership of our citizenry, I submit the following selected material of this conference, which in large part gives an insight into what free Asians and their supporters are thinking about and actively working for: first, the address by the Honorable STROM THURMOND of South Carolina at the WACL rally in Toyko and the "Declaration of Peace" adopted by the rally's 20,000 participants; second, the opening address to the conference by the WACL chairman, Gen. Praphan Kulapichitr of Thailand; third, messages and greetings from Vice President SPIRO T. AGNEW, Prime Minister John Gorton of Australia, President Chiang Kai-shek of China, President Park Chung Ha of Korea, Prime Minister Thanom Kittikachorn of Thailand, President Nguyen Van Thieu of Vietnam, Vice President Fernando Lopez of the Philippines, and Secretary-General Jesus Vargas of SEATO; fourth, addresses by Dr. Ku Cheng-kang of China, Dr. Sungsoo Whang of Korea, Dr. Lev E. Dobriansky of United States, and Mr. Yaroslav Stetsko of Ukraine; and fifth, WACL's adopted resolutions on Captive Nations Week in 1971, and Soviet Russian colonialism, as well as its joint communique.

The material follows:

ADDRESS BY SENATOR STROM THURMOND

MR. CHAIRMAN AND HONORED DELEGATES:

This is an exciting time for the Free World, and I am happy to be here to talk to you about the future of the anti-Communist countries, particularly in Free Asia. In the past year, the fight for freedom has taken on some important new developments which have completely changed the prospects for this region.

In particular, I want to point to the revitalized role now being played by South Vietnam in its long fight against Communist aggression. Beset by internal problems and hobbled by the hesitancy of U.S. policy, Vietnam was unable to take the proper initiative on the battlefield.

Not until 1969 did the Vietnamese army get the training and the weapons which were befitting to its courage and tenacity. By the end of 1969, this program, labeled by President Nixon as "Vietnamization," was already beginning to show the positive results of this new thrust and new kind of support. Today the Vietnamese troops have clearly proven that they are composed of tough fighting men led by officers of ability and character.

The tremendous improvement as a result of Vietnamization is shown in the fact that in December of 1968 only 76 percent of the people lived in secure areas; one year later, 93 percent lived in secure areas; and the figure is continuing to improve. A similar improvement is shown in the decrease in the number of South Vietnamese civilians abducted by the Viet Cong. In the first quarter of 1969, 3,219 were kidnapped; in the last quarter of 1969, only 629. This is why the hope and trust of the people indisputably lies today with the government in Saigon.

Thus the propaganda of defeat has been clearly shown to be a tissue of falsification and distortion. Those who have continually maligned our Asian allies have had to turn to other deceptions and techniques. The propaganda battle is not yet won, but the truth of our policies has been proved on the battlefield of war and in the hearts of our South Vietnamese allies.

Then in March of this year came President Nixon's courageous decision to open a coun-

ter-offensive in the border areas of Cambodia. I have taken note of the World Anti-Communist League's wonderful resolution in support of that action, approved at your meeting in May, and I want you to know that this resolution is deeply appreciated in the United States among all those who believe in or engaged in the fight for freedom.

The Communists have charged that South Vietnam and the United States violated the sovereignty of Cambodia in that action and extended the war. The fact is that the Communists violated Cambodia's sovereignty almost five years previously when they made Cambodian territory a base for war. For all practical purposes, Cambodia was not allowed to exercise its sovereignty in the war zone, until the victories of the South Vietnamese and U.S. troops returned control of the territory to the Cambodian government's hands.

The Cambodian operation demonstrated the success of the Vietnamization policy in two ways.

First, the Communists apparently chose to step up activity in Cambodia because they were losing ground in South Vietnam. Secondly, it showed that the South Vietnamese troops, properly armed and trained, had a fine capability not only for pacification, but also for offensive action against the enemy.

Moreover, the Cambodian operation also demonstrated the potential for cooperation between Cambodia and South Vietnam, a cooperation which the malignant critics had also said was impossible. Despite some inevitable minor problems, the two nations have worked together in a mutual system that has enabled a *free* Cambodia to survive in the face of intense *military* and *subversive* pressure. Again, the left-wing critics had said that the government of Premier Lon Nol couldn't last a month in the face of the Communist offensive; yet it has survived, and the capital remains free, providing an inspiration to freedom-loving nations throughout the world.

When *one* move in the right direction is successful, it makes it easier for another such move to follow. For this reason, we in the United States took great heart from the action of Indonesia's Foreign Minister Adam Malik in convening the free Asian nations at Jakarta. There are some people who said that the United States frowned upon such a conference because we did not participate in the planning or the sessions. On the contrary, we felt that the initiative of the free nations of Asia in acting *along* was a commendable sign of assuming responsibility; and the more so since Indonesia is a nation which has only recently thrown off the Communist conspiracy. The sessions at Jakarta were described as tentative and general in tone; but the important point is that they were held at all. The *beginning* is the most difficult part. The Jakarta Conference set up a commission, consisting of the foreign ministers of Indonesia, Malaysia, and Japan, to work for peace in Cambodia. Thus Jakarta can be the seed of continuing cooperation, particularly the kind of cooperation to work for one another's mutual security. If peace comes to Cambodia, it will come only when Cambodia gets the mutual assistance it needs from its neighbors.

It is of particular significance that Japan was a participant in the Jakarta Conference, and that Japan elected to become a part of its *continuing* work on the Cambodian commission. This was viewed in America as a welcome sign that Japan is taking an increasingly wider view of its role among the free nations of Asia. Again, it would be wrong to suppose that the Jakarta Conference will necessarily be the ultimate vehicle for mutual cooperation. What impressed us in America was the spirit of the Conference, and Japan's role in participating in it. In the past some have felt that Japan was willing to let others share the burden; but more and more we notice signs of Japan's leadership, and we welcome that development.

Indeed, it appears that Japan's new spirit of leadership, and the new feeling of cooperation throughout Southeast Asia, is backed up by an increasing economic base. Japan's economy is now third in the free world. It must now be counted among the most developed nations of the world. Free China has enjoyed a truly *amazing* economic and social development. South Korea is enjoying a new prosperity, despite a new war having ravaged its territory. Indeed all the free nations of the regions see *new* opportunity ahead. The potential that this opportunity presents is even greater when we think of the multiplying effect of a spirit of mutual cooperation and trust.

This fact in itself shows the superiority of the *free* system. The greatest progress in Asia has come to those nations which have chosen free economic systems, and which have allowed the creative force of individual enterprise come into play. The Communists believe that *private property* must be abolished, and that *private freedom* must be stamped out. They are willing to destroy, plunder, enslave, and murder in order to impose *their* form of society. Once in power, they believe that only rigid central direction and control can keep the economy going.

Yet the free system has not only proved to be *more* progressive; it has also shown that it allows greater development of the individual human personality. The free system preserves the virtues of the family, and the great religious traditions of the people. It fosters individual thought and ingenuity. It provides the freedom of choice in everyday life that befits the dignity of the human person.

The Communist cannot allow the free system to develop and prosper along side of the failures of Communism. The *ultimate* goal of the Communists is to *dominate* the world.

For this reason, the Communists have continually built up an *aggressive* military machine to support their conquests. After World War II, the United States quickly demobilized its troops and abandoned its military equipment; the Soviet Union did just the opposite and kept its army mobilized. The United States offered to share its atomic secrets with the world, provided *no* nations were allowed to develop arms in secrecy; the Soviet Union turned down the offer. After the signing of the cease fire, the United States worked to *rebuild* the occupied nations in freedom; the Soviet Union to this day still occupies East Germany, Poland, and Czechoslovakia and keeps an iron hand on the *other* nations of the Warsaw Pact.

Red China also maintains its military apparatus, but at the present time the *main* threat is the Soviet Union. We must *not* suppose that the *free* nations of Asia are exempt from Soviet intentions. As South Vietnam knows so well, only the Soviet Union is capable of supplying *revolutionaries* with the quantity and quality of weapons for the conduct of conventional warfare today. There is *nothing* that the Soviet Union fears *more* than independent and free nations, capable of defending themselves against aggression.

For we must not imagine that economic and social progress in Free Asia can continue, right in the very face of Communism, without bringing on the jealous aggressive reaction of the Soviet Union. If free societies are to continue to prosper in peace, then the nations which enjoy such prosperity must be willing to *defend* their people.

As the economic giant among the nations of Free Asia, Japan must be willing to undertake a *greater* proportion of the leadership necessary to the defense of the region. But above all, there must be a greater mutuality and cooperation in all these defense matters. Japan cannot sit much longer under the umbrella of U.S. protection, without becoming more involved in the area defense. For one thing, of all the *Free* Asian nations, *only* Japan has the technological capacity and the capital to produce the defense materials needed. Through mutual planning, this production can be distributed and integrated into appropriate Asian countries with mutual economic assistance and advice, but in the long run, only a *defense* effort that grows out of local *capacities* and local *willingness* to sacrifice will provide a sound base of defense.

We are now in a different era than we were after World War II. The nations of Asia are in a more advanced stage of development and economic maturity. The attitudes of the former era are no longer appropriate. Japan is presently spending only less than one percent of its gross national product on self defense. But Japan's economic development cannot continue unless its free neighbors *share* in the development, *support* it, and in turn are supported in the defense of the *common* interest. The main thrust of Soviet policy today in Asia is not to dominate Japan immediately, but at first to neutralize Japan, and gradually to make her technology and economy dependent on the Soviet market and economic system. If such were to happen, Japan would become another Finland—courageous, but unable on a practical level to resist Soviet demands. This will never happen if the countries of this region continue to expand their mutual cooperation.

As for the United States, we pledge that we will hold to *all* of our commitments. When President Nixon came into office, it might have been politically expedient for him to liquidate the mistakes of the previous Administration, and forget about freedom in Asia. He did *not* do so. Instead, he enunciated the *Guam Doctrine*, which not only strengthens those commitments, but places greater trust in the capacities and growth of our allies.

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To *Cambodia*, I say that the survival of your country is of great importance to the cause of freedom everywhere. It took great courage to throw off the Communist noose, just as it was descending upon your neck. The U.S. Vice President was correct when he said that the survival of your country was of great tactical importance to the struggle in Vietnam. You have shown the way to decisive action and cooperation in Free Asia, and it is now up to the *other* Free Asian nations to support *your* example.

Finally, to *Vietnam*, I say that the past year has been of immense significance in your struggle. I urge you to hold on for victory so that the struggle will not have been in vain. Vietnam has been a testing ground not only for *your* people, but for the *whole* world.

Ladies and Gentlemen, the struggle against Communism is a struggle which intimately involves *all* free nations. No part of freedom can be diminished without bringing tyranny that much closer to the rest of us. The forces of anti-Communism must remain resolute, even in the face of internal, as well as external subversion. It is significant that no nation in history has ever freely chosen a Communist government. Let us work together, then, so that our freedom is not undermined by complacence and inaction.

There are times when the future looks dark and uncertain. But, as the past year has shown, in such times, one nation, with Right on its side, can constitute a majority. If the people of a nation have the courage and the fortitude to stand up for what they believe in, this alone can often turn the tide. Many nations are struggling today, but struggling people often develop a religious attitude—

an attitude which is of great assistance to them in fighting a Godless and atheistic materialism.

The Free World, therefore, must stand together in this struggle. We must do what we can to encourage those nations in Eastern Europe, enslaved by Communism, to resist that tyranny. Nor must we forget the millions behind the bamboo curtain, trapped by an illegal regime which has set out to destroy an ancient culture and an ancient society. Before Communism can be destroyed, we must have the will to destroy Communism. We must never accommodate ourselves to a ruthless imperialism dedicated to our own destruction. Free men must have the will to be free.

With mutual trust and cooperation, a realization of our obligations to each other, and a will to be free, Communism *can* and *will* be defeated. The victory will not come easy, but the benefits of a free society made the battle worthwhile. Let us pledge today to stand united in this common struggle and resolve to continue the fight until the goal of a truly free world becomes a reality.

DECLARATION OF PEACE

WACL WORLD RALLY,
September 20, 1970.

"Communism is wrong!" We have been appealing with these words as the voice of justice in history.

History should have begun in peace; the goal of history should be the pursuit of peace. The ideal of peace was given by God, yet it has been trampled in the dust by man throughout history. Even now, Korea, Vietnam and China are torn between north and south, and Germany between east and west. This earth has been bathed in human blood and is covered with the tangled national grudges. This same earth has been the center of God's anxiety throughout the long years of history.

The tide of tension is rolling from Europe to the Far East. The bottomless flow of the lava of ignorance has exploded through the volcano of Red China, whose ambition of world revolution is burning up half of Indonesia and the Korean Peninsula. Its roaring has reached even to the islands of the Far East. The peace of Asia is now suffering from the tidal wave of that threat. There is no guarantee that nations which have constitutions of peace are the builders of peace. The easy appeasement policy between East and West can become the spark of war.

We now need a confrontation without compromise. Absolute peace is not found in coexistence or in endless negotiations. Peace can only be achieved by challenging and defeating threats to it.

Therefore we here propose the idea and strategy for peace.

Peace is not simply the abolishment of armaments. World peace cannot be achieved apart from the inner peace of man. To achieve inner peace, man's instinct must be conquered by his conscience, which again must transcend self-interest.

We have entered the age of common destiny among nations. Nations are either to be saved or destroyed collectively.

True love of country does not lie in haughty isolationism based on a blind security, but in choosing the undying honor of sacrifice and service, in bearing the cross of other countries who wander the borderline of death.

The Communist regime most fears those who march on bravely through the valleys of death with sacrificial love. Indeed, love, courage, and forgiveness are the mightiest weapons given to us.

Therefore we should not ask what other nations can give to us, but instead let us pursue what we can give to mankind, who are crying out in poverty and starvation.

What is the enemy which hinders true peace? It is ignorance. This ignorance is nationalism for the sake of nationalism which blocks the way to peace by creating national barriers, racial prejudice, and holding historical grudges. We need today more than any other time the wisdom that all men are brothers under God. Ignorance robs man of freedom. Before we can achieve external freedom and liberty, we must first be free from the internal bondage of ignorance and lay the foundation of absolute peace in liberty by knowing the truth of God.

However, true peace cannot be reached without world unity. The obstacle is nationalism.

Therefore, the way to world peace is the spirit of WACL, which surpasses Communist ideology and can make mankind into one body. We of WACL are those who believe that mankind are fellow citizens beyond the barriers of nations and states, yet respecting the national characteristics of every nation; who treat the ideology of Communism with absolute intolerance but without hatred for its people; who embrace the weak and needy, but not out of a "superiority complex"; who have compassion for those who suffer but are also willing to serve them in order to deliver them out of their poverty and pain, with tears for mankind more than those who suffer.

Now the flag of the battle to achieve peace is passed on to the youth, who hold the future. Therefore, peace must be established by the love, intelligence, and energy of youth. This spirit will fulfill the words, "Blessed are the peacemakers, for they shall be called children of God."

Today history is pointing toward Asia, especially toward Japan. The WACL World Rally has been victoriously held in Japan, whose sun is about to rise. On this occasion we declare together to the world, that the peace of God, by God, and for God is the reality of peace for which all nations are longing.

OPENING ADDRESS OF GEN. PRAPHAN KULAPICHITR, CHAIRMAN OF WACL, THAILAND

His Excellency, Distinguished Guests, Fellow Delegates, Observers and Ladies and Gentlemen: As the Chairman of the World Anti Communist League, I feel highly privileged to extend my greetings and warm welcome to you all who come all the way to this famous and ancient city of Kyoto of this country to attend the fourth Conference of the World Anti Communist League scheduled from today onward.

As you may all know, this Conference is hosted by WACL's Chapter in Japan under the leadership of Dr. Tetsuzo Watanabe, the President, Mr. Osami Kuboki, the Vice President, and Prof. Juitsu Kitaoka Secretary-General. This is the first time that WACL hold its fourth Conference in Japan, but, nevertheless, for Japan, it is the second time that she has been the host to such anti-communist movement like this. The first one was that of eighth Conference of the Asian People Anti Communist League in 1962.

With your permission, I wish to introduce to you: Dr. Tetsuzo Watanabe, President of the Japan Chapter, Mr. Osami Kuboki, Vice President of Japan Chapter. Mr. Osami Kuboki, is also the President of the International Federation for Victory Over Communism which is now the principal organization of the Japan Chapter and has been throughout responsible for the preparation of this Conference; Prof. Juitsu Kitaoka, Secretary-General of Japan Chapter, and finally Mr. Masatoshi Abe, Secretary-General of the IFVC.

On behalf of distinguished guests, fellow delegates and observers, ladies and gentlemen, I wish to state that we are very proud and feel honoured to be given an opportunity to be here in your famous and lovely ancient city of Kyoto, and, allow us, to express our gratitude and thankfulness to you, and to all of your colleagues, young men and women, whose efforts, services and genuine dedication for the cause of victory over Communism have successfully rendered possible the fourth WACL Conference of this year as we have eye-witnessed at this very moment.

We wish also to express our appreciation for personal care, attention, courtesy and comfort we all have and will enjoy throughout the period of this Conference. Our grateful appreciation and thanks are also due to the Japanese Government and people for their cooperative efforts, understanding support and encouragement to our movement in general and this conference in particular.

The success of this Conference, my dear fellow delegates, is lying before you. I pray that with the pool of great endeavour, enthusiasm, careful and thorough consideration, experience, intellectual thinking and intelligence, the success in terms of practical application and real achievement of WACL's objective and purposes, eventually emerge out of the Conference in this old city.

A global look at the situation during the preceding one year period has convinced us that the war between the Communist imperialists and its agents and the peace and freedom loving people has been increasing in both scale and intensity to the stage where the world over can be able to see the failure and decline of Communist ideology while the rising expectation of freedom loving people is steadily gaining ground and winning over the people subjugated and enslaved or about to be subjugated and enslaved under the Communist rule throughout the world on one hand. On the other, the response to Communist aggression, either military or overt or covert action, by superior measures and collective efforts in all fronts has forced the opposite to review, revise and change their policy measures with the adoption of new policy and strategy only with a view to maintaining their existing situation and sphere of influence which tend to give way to gradually increasing demand and call for freedom and independence by the people under their domination while the free nations of the world are now gathering momentum in giving more and more attention to problem solving of each nation on the basis of self-help or self determination with due respect given to each other.

Our call last year for Solidarity for Freedom proved to have a satisfactory response when 11 Nations met in Djakarta in an effort to seek and bring peace to Cambodia. It is premature at this state in venturing to say that the unability of 3 nations committee to persuade USSR to lend their good office to facilitate or open a preliminary talk with North Vietnam and Red China would close all our hope and prospect to bring peace to Cambodia. For this will not be only one way to solve such a difficult international task. More will be attempted by these nations at appropriate time. Further, SEATO's position has been somewhat strengthened at least when Great Britain and the Republic of France have hitherto changed their attitude toward becoming more positively cooperative and supportive to the threatened nations of the Regions. This change can at least be taken not merely as a moral support from SEATO but also as a positive encouragement to all the nations concerned in an effort to put an end to the conflicts in the former French Indo-Chinese territories for the mutual interest and benefits of the free and peace loving people in these three small and independent states.

As to the activity of WACL in the last preceding 12 months, although we have at time some problem which apparently seem to hinder our progress. Nevertheless, these difficulties have been overcome to some extent as the result of your cooperative effort. Further details will be reported by the Secretary-General later.

I solemnly hand over chairmanship of WACL to the new President, Mr. Osami Ku-

boki. I also wish to take this opportunity to transfer this symbol to him. Finally, I wish you, Mr. President, and the Conference for all success.

It is with sincere pleasure that I extend to all the participants of the Fourth Annual Conference of the World Anti-Communist League my warm personal greetings.

I am very much aware of the importance of your conference and deeply appreciate the dozens of letters which I have received from many members of your organization.

Your theme, "Mobilizing the Forces of World Freedom," is indeed very timely and appropriate today and will continue to be of great significance for years to come.

You and your associates have my best wishes for most successful deliberations.

SPIRO T. AGNEW,
Vice President.

MESSAGE FROM THE PRIME MINISTER OF AUSTRALIA

My best wishes for a successful conference. With Australia and Japan forging increasingly closer links in a wide variety of endeavours, it is a pleasure for me to have this opporunity to send you greetings. Australia and Japan have a common interest in countering Communist expansion in our part of the world. I wish you a fruitful conference.

JOHN GORTON.

PRESIDENT CHIANG KAI-SHEK'S MESSAGE TO THE FOURTH WACL CONEFRENCE

SEPTEMBER 15, 1970.

Chairman Kuboki and Distinguished Delegates to the Fourth Conference of the World Anti-Communist League: It is greatly reassuring to note today's opening of the Fourth Conference of the World Anti-Communist League. This meeting promises the solidification of free forces everywhere for the struggle against Communism and appeasement. The united endeavors of free men are raising a mighty tide of anti-Communism to wipe out the source of scourges. We shall move forward into the Great Commonwealth of liberty and peace.

Your significant undertakings command the respect and admiration of the free world. You have made great progress in these last three years. Yet all of us know that Communism has not yet been vanquished. Courage and dedicated service will be needed as we move along the road toward victory. I am confident that millions of men of goodwill will be marching with the World Anti-Communist League under its banner of "Mobilizing the Forces of World Freedom." Right and justice are on our side. We cannot fail. I wish every success to the Conference and to those who are joining together in this great crusade for freedom.

CHIANG KAI-SHEK,
President, Republic of China.

MESSAGE FROM HIS EXCELLENCY PARK CHUNG HEE, PRESIDENT OF THE REPUBLIC OF KOREA

SEPTEMBER 16, 1970.

Mr. Chairman, Distinguished Delegates, Ladies and Gentlemen: It is my privilege and pleasure to extend my warm felicitations and best wishes to each and all of you who have gathered at the Fourth Conference of the World Anti-Communist League, re-dedicating yourselves to the cause of strengthening further the unity of the free peoples and to demonstrating our united strength in our determined campaign to thwart the communists in their sinister, aggressive underhand designs.

I know how sacrificingly and devotedly you have fought and will continue to fight to defeat communism and to preserve our hard-won freedom.

I also know that as we become stronger in solidarity and activities, the communists are trying to disguise themselves in a peace offensive, simultaneously making resort to their old-fashioned aggression.

However, we know through our bitter experiences that their peace offensive aims only at slacking and ultimately disintegrating the free world.

Therefore, it is fitting that this meaningful gathering should demonstrate our adamantine unity and unshakable friendship to them, by mustering the forces of freedom throughout the world in our concerted efforts to thwart the communists' intrigues and to contribute to the cause of bringing freedom to the captive nations.

Let us pledge anew to make victory ours.

MESSAGE FROM HIS EXCELLENCY FIELD MARSHAL THANOM KITTIKACHORN, PRIME MINISTER OF THAILAND

Mr. Chairman, Distinguished Delegates, Ladies and Gentlemen: The convening of the Fourth Conference of the World Anti-Communist League today marks another important milestone in the history of the League which, since its establishment four years ago, has met with great success in its endeavours to advance the cause of freedom based on democracy, justice and human dignity. After the Third WACL Conference successfully held in Bangkok last year, this annual Conference demonstrates once again the strength and determination of the free peoples of the world dedicated to the defense of their freedom and democratic institutions against Communist expansion and aggression.

As we are all aware, the present world tension stems from aggressive and expansive Communism which, on account of its totalitarian nature, seeks relentlessly to destroy democracy and thereby to dominate the world. Through its techniques of terrorism and deceit, the international communist movement has been trying to spread its ideology to all parts of the globe, creating in the process political, economic and social upheavals, even armed conflicts and untold miseries, in so many countries and regions, especially in Southeast Asia. Where naked lies and deceit fail to produce results, it normally recourses to threat and the use of force to subdue resistance. Such being the case, it is therefore the duty of every individual who cherishes liberty and peace to be on guard against this danger and, using all means at his disposal, to join forces with other citizens in mounting effective resistance against Communist expansionism and imperialism so that peace, freedom and democracy may be safeguarded. For this reason, the endeavours and achievements of the world.

On this auspicious occasion, I wish to extend to you, Mr. Chairman, and to all distinguished delegates and participants in the Fourth Conference of the World Anti-Communist League my sincere congratulations and best wishes for the successful deliberation of this Conference, so as to contribute to the cause of world peace and human dignity.

MESSAGE FROM HIS EXCELLENCY NGUYEN VAN THIEU, PRESIDENT OF THE REPUBLIC OF VIETNAM

Mr. Chairman, Honorable Delegates, Ladies and Gentlemen: The opening of the Fourth Annual Conference of the World Anti-Communist League and the Sixteenth Conference of the Asian People's Anti-Communist League at Kyoto today has brought along hope, confidence and encouragement for freedom-loving peoples all over the world and especially for the Vietnamese people.

This year, the WACL and APACL General Conferences are being held in Japan. This can be considered as an evidence that the Japan Chapter has successfully implemented the moral rearmament of the Japanese youth to counter the Communist influence.

Our people have been fighting against the Communist aggressors not only for our own independence and freedom but also for the security of Southeast Asia and the Free World. With generous assistance from friendly nations in many parts of the world, we have defeated the Communist attempts to overthrow the legal and constitutional government of the Republic of Viet-Nam and to impose upon our people the yoke of Communist tyranny.

In strong contrast to the authoritarian regime in the North in less than three years since the promulgation of the Constitution in April 1967, we have successfully developed Democracy at all levels of Vietnamese life. In the social field, landless farmers have become landowners thanks to the promulgation of the "Land-to-the Tiller" law, which has become one of the most effective weapons against Communist propaganda in rural areas. Because of this law, the centuries old aspirations and dreams of Vietnamese peasants to till their own lands have come true.

Thanks to tremendous sacrifices made by our people and Armed Forces, especially after the elimination of Communist sanctuaries in Cambodia, the overall military situation in Viet-Nam has improved satisfactorily. The Pacification and Development Program has been progressing better and better. Many war refugees have been able to resettle in their former villages. Our Armed Forces have been modernized and are strong enough to take over territorial defense. As a result of these achievements, American combat troops can be redeployed and reduced substantially.

On every field the Communists are being defeated. Being a traditionally peace-loving people, we participated in the Paris Peace Talks with the Communists in search for a peaceful settlement of the war waged by Hanoi and supported by the whole Communist world. But for two years, the Communists have kept on stubbornly demanding Allied Forces to withdraw immediately and unconditionally and to set up a "coalition government" in Viet-Nam, which means that they want our people and government to surrender.

We cannot and shall not accept these conditions.

Our people are fighting for self-defense. After decades of war, we are longing for peace. But the peace we seek is a just and lasting peace, not a surrender to the Communists.

The presence of the delegates and observers from so many countries to this Fourth WACL Conference is a meaningful encouragement for our people. You are representatives of freedom-loving peoples of the world who have dedicated themselves to the cause of human dignity, democracy and peace based on justice, self-determination and independence of nations. Our people are fighting on the front-line for these ideals, and appreciate deeply the moral support which we have received from the League in the past and which we are confident that we will continue to receive in the future.

The convening of the WACL and APACL Conferences in Japan this year reflects the determination of the League, especially of the Japanese people to launch a counter-attack against Communist propaganda and influence in the most politically democratic and economically powerful nation in Asia. Freedom-loving people everywhere are encouraged by the fact that many organizations in Japan are now developing into nation-wide movements for the purpose of establishing a united front against Communist expansion.

On behalf of the people and government of the Republic of Viet-Nam and in my own name, I extend my warmest greetings to all the delegates and observers to this Conference and I wish you success in promoting freedom and a just and lasting peace all over the world.

MESSAGE FROM THE OFFICE OF THE VICE PRESIDENT OF THE PHILIPPINES, MALACANANG

It is a great honor for me to extend hearty greetings to the officers and delegates to the 4th World Anti-Communist League and the 16th Asian People's Anti-Communist League joint conferences being held in Kyoto, Japan, from September 15 to 19, 1970.

Needless to say this joint conference, which is conducted under the highly competent direction of expert political scientists on communism, furnishes another tangible token of the great service being rendered by both organizations in the preservation and defense of our democratic way of life. For indeed the most extensive and intensive discussion of the communist set-up and all its dangerous aspects demand that the quest for the means to combat it must be coupled with the formulation and implementation of courses of action that would reflect faithfully the best of democratic traditions as embraced by the free countries of the world.

For setting this precedent and providing the much needed initiative in this direction in Asia, the WACL and APACL deserve the recognition as well as the earnest participation of the free countries around the globe. To those who are taking part in this conference, I send my warmest congratulations.

FERNANDO LOPEZ,
Vice-President.

MESSAGE FROM THE SOUTH-EAST ASIA TREATY ORGANIZATION, OFFICE OF THE SECRETARY-GENERAL

To the WACL/APACL Delegates: I take great pleasure in extending to the delegates to and the observers at this year's annual conferences of the World Anti-Communist League and the Asian People's Anti-Communist League, and to all others associated with these meetings, my warmest and most cordial greetings. To the hosts in particular, the WACL/APACL Japan Chapter go my most profound congratulations for the excellent arrangements, without which this impressive assembly of the world's anti-Communist fighters would not have been possible.

It is well that the anti-Communist movement is global in scope and unwaivering in character. This is consonant with the well-recognized dictum that the Communist threat to peace and freedom anywhere in the world imperils peace and freedom everywhere else. It is resonant with the unremitting character of that threat, and with the well-known persistence and intransigence of the Communist leaders themselves.

There is no denying the fact that the World Anti-Communist campaign spearheaded by the WACL/APACL is the best single movement that has ever visited free peoples anywhere. It must be borne constantly in mind, however, that the wealth of ideas, the body of counter-subversion and insurgency measures and the resolutions that accrue from your annual conferences will only come to naught unless and until they are translated into positive action. I suggest that at your conferences this year a particularly conscious effort be exerted in that direction.

I am confident that, with so much know-how and selfless dedication assembled this year, the present annual WACL/APACL Conferences will be among the Movement's most successful and rewarding assembly.

JESUS VARGAS,
Secretary-General.

ADDRESS BY WACL HONORARY PRESIDENT KU CHENG-KANG

Mr. Chairman, Honorable Delegates and Observers, Distinguished Guests, Ladies and Gentlemen: We are here today for the auspicious opening of the 4th Conference of the World Anti-Communist League.

As you are all aware, WACL came into being as a continuation and outgrowth of the Asian People's Anti-Communist League in the late 1960s. The birth of this league was correctly in line with the trend of times. We met in Taipei in September of 1967 for our first conference, next in Saigon in December of 1968, and then in Bangkok last December. From the Republic of China to Vietnam, Thailand and now here in Japan, WACL has been directing its efforts to wherever anti-Communist combats are needed.

As history has now started to record the events of the '70s, it is of very special political significance that Japan is hosting this league meeting. We are confident that our march toward victory for freedom in the present decade will gather speed. We are sure we will win.

WACL's endeavors have been extraordinarily strenuous. We have had to fight the evil influences of Communism on the one hand and the countercurrents of appeasers on the other. But in uniting anti-Communist leaders throughout the world, in arousing the silent masses of various nations, in organizing the strengths of youths and in promoting all other types of anti-Communist activities, we have made great achievements in the last three years. I thank you and respect you very much for making these achievements possible.

With regard to the prospects of the '70s, many nations have professed their views and plans. The one that has attracted the most attention is President Nixon's message titled "United States Foreign Policy for the 1970s—A New Strategy for Peace." This paper, presented on February 18 this year, has produced powerful effects on the world trend.

Late last month, President Nixon sent Vice President Agnew to Asia for visits to the Republic of Korea, China and Vietnam as well as Cambodia and Thailand. The tour was to see how these staunch anti-Communist nations were taking and reacting to President Nixon's new peace strategy and Asian policy. We are sure that Mr. Agnew learned a great deal through his talks with government leaders in these countries. I now want to state frankly my personal views and the opinions of many anti-Communist leaders I have contacted.

Regarding America's peace strategy and Asian policy, we approve and support the aspect that can affirmatively contribute to free world causes. But we disapprove and are very much concerned about the negative side that lacks constructiveness. This side that worries us is obviously in the working.

The constructive side is represented by the affirmation that peace requires partnership and strength. This reminds us of two things that the free world must closely follow. First, instead of relying heavily or entirely on the United States, each nation must act more and more on its own and bring out all its force for the protection of its freedom, security and independence. Second, regional security organizations are absolutely necessary for the pooling of strong and effective defense forces. These two guidelines are completely in line with free world interest and the trend of times. They are what many Asian leaders have been advocating for a long time. Both WACL and APACL have always endeavored along these lines.

The negative side of the American policy has several conspicuous phases. The first is America's over-emphasis on negotiation as a substitute for confrontation. This may make free world people confuse enemies as friends and badly affect their anti-Communist fighting spirit. Next comes the excessive desire on the part of Washington to improve relations with Soviet Russia and to establish contacts with the Chinese Communists. This can fan up the air of appeasement and may even start a race of flirtation toward Communist countries. Thirdly, although withdrawal does not necessarily mean a return to isolationism, military gaps may be created to the advantage of Communist aggressors if U.S. troops are pulled out from overseas points to soon or too fast before the countries concerned are ready to defend themselves.

These unconstructive measures are producing undesirable results throughout the free world and Asia is being most seriously affected. The coup in Cambodia last March and the subsequent marching of U.S. and South Vietnamese troops into that country could have led to a new development in Asia's joint anti-Communist endeavor. But the actual turn of events has been far from being satisfactory because of the unconstructive approaches of the American policy. This can produce further serious effects. If individual free nations were made meek and submissive in the face of Communism, the whole freedom camp would soon collapse spiritually, permitting the evil powers of Communism to make unobstructed advances.

Now that the situation is as it is, the United States and all the other free world nations should positively play up the constructive sides of their policies and cut down on unconstructive approaches if they are to protect their freedom effectively. Concerted actions are necessary if we are to turn the tide of world situation in favor of freedom-loving people.

To be constructive rather than destructive, the United States not abandon its stand for freedom as it continues its search for peace. Negotiations must not be allowed to harm freedom in any way. At the same time, the United States must actively endeavor for the establishment of joint defense and regional security systems. All the necessary economic and military assistance must be provided. The United States must also abide by its commitments with its allies. Vigilance must be heightened against enemy traps. The United States must not speak or act in any way to dampen the fighting spirit of its friends and benefit the enemies. We sincerely hope that through voting and other methods, America's silent masses and just forces can publicly express their views, actively support the constructive aspects of the Nixon Doctrine, and positively counter the appeasers' fallacious words and deeds.

In order to reach for their goals positively rather than passively, free people of Asia must suppress the psychology of reliance and convince themselves that they must stand up and fight for themselves and their fellow Asians. Threatened by Communist aggressors, Asians must help each other, hit back together and establish a strong unity of deterrent forces. Active and effective support must be given the Republic of Vietnam, Laos and Cambodia in their anti-Communist fights to protect their freedom and independence. All traces of self-confinement, neutralist line and non-alignment policy must be discarded. All the people must then work together for the early establishment of a regional security organization for Asia and the Pacific. Japan, with its immense economic power, should more actively assume the responsibility of safeguarding Asian freedom and security.

Lastly, for the free world as a whole to be actively constructive, all the people must hold fast to their stands and refrain from doing anything to harm their collective security or welfare. Overeagerness can make one blind. Momentary peace and temporary benefit may be easily gained but true disasters can follow. Furthermore, all the free world regions must have their security organizations and all such systems must be continuously strengthened. Nations that maintain diplomatic ties with Peiping have learned their lessons the hard way. No other nation should take that mistaken road. And no one should continue to entertain illusions about trade with Communist countries. Trade embargo must not be violated. No one should act in the interest of the enemy. The Chinese Communists have been branded by the United Nations as aggressors. All the plots to admit them into the world body must be smashed.

If all of the free world strives as one in the direction I have just pointed out, the present ebb tide will soon be replaced by a high tide and we all will be marching positively toward our goals. I sincerely hope that all of us members of WACL and APACL will provide the main motivating power for this new and vigorous surge toward a total victory for freedom in the 1970s.

ADDRESS BY DR. SUNGSOO WHANG OF THE REPUBLIC OF KOREA

Mr. Chairman, Honorable guests, fellow delegates, Ladies and Gentlemen: It is my honor and pleasure to come back to this conference of the World Anti-Communist League and Asian People's Anti-Communist League, and to address the leaders of our common cause who are gathered together from all corners of the globe.

The Asian People's Anti-Communist League which was established in June, 1954, at Chinhae, Korea, by the delegates from eight nations and areas was developed in 1968 after 12 years into an organization of 26 member nations, 23 observers, and 16 anti-Communist international organizations. In 1967, this Asian Organization was enlarged into the World-wide Anti-Communist League.

This development and enlargement has shown hope and courage to the freedom loving peoples of the world by creating new era of unity of free world with brave determination and macroscopic insight.

In the pre-amble of World Anti-Communist League, we pledge to contribute to the dignity of mankind, peace and democracy based on justice, self-determination and freedom. The freedom-loving peoples of the World, realizing the ever-increasing threats of communist aggression all over the world, renew the determination to defend peace and freedom and to destroy the communist ambition to enslave mankind.

Through our own bitter experiences, we firmly believe that compromise with Communism is impossible and that the schism within the Communist arena does not diminish the threat of Communist aggression against the free world.

To quote Dr. Hu Shuh from his article, "China in Stalin's Grand Strategy," when he explained the Long March of 1934 by the Chinese Communists.

"It was Stalin who, in his best known work, 'Problems of Leninism' had laid down the strategical line of a maneuvering of reserves designed for a correct retreat when the enemy is strong and when retreat is inevitable, when we are beforehand aware of the disadvantages of engaging in battle which the enemy imposes on us, when, given the ratio of forces, retreat is the only means of preventing a blow in the vanguard and maintaining the reserves behind it. Here Stalin quoted Lenin for support: 'The revolutionary parties must complete their education. They have learned how to attack. Now they must understand that it is necessary to supplement this by knowledge of how best to retreat. They must understand that victory is impossible without learning both how to attack and how to retreat properly.' The object of this strategy, concludes Stalin, is to gain time, to decompose the enemy, and to assemble forces so as to take the offensive later."

This is exactly what happened in the past in China, but also what is happening in Korea, in Vietnam, and in Suez Canal.

I would like to quote a word of the 16th century French savant Michel de Montaigne:

"The Spartan King Cheomenes made a seven-day truce with the people of Argos, then attacked them on the third night while they were asleep and expecting no harm. The excuse: the seven-day truce made no mention of nights."

I hope the good peoples of the United States and other free nations shall not be deceived by the Communist strategy of "trickery, deceit, law-breaking, withholding and concealing truth" as Lenin himself termed it.

Who knows? Not only the dignity and freedom of mankind but the survival of innocent people might be mercilessly trampled down by the gigantic king from the Kremlin if the free people of the world do not watch and prepare:

It is true that the international situation has been changed.

The fear of nuclear weapons and the balance of power have promoted the appearance of co-existence. The approach by the United States to the Communist China and the treaty by Federal Republic of Germany with Soviet Russia have turned the bilateral negotiations into the multi-lateral world.

This may be misinterpreted as a sign of the world which is progressing toward peace, but the Communists which aim the destruction of free democracy ultimately only falsely pretend peace and negotiations as a strategic retreat as mentioned above.

The competition between Russia and Communist China does not guarantee world peace but such illusion will only weaken the unity of democratic nations. The ambition of Russia to conquer the world did not only appear over Communist China but also over Czechoslovakia in 1968 when it tried to take a democratic reform. On the other hand, Communist China tries to persuade the northern Korean puppets to war and to instigate aggression. The northern puppets, now appreaching to Communist China, are desperate in preparing war of aggression. In spite of this critical crisis, the United States and some free nations seem to put hope and goodwill to such appeasement.

The withdrawal of American forces from Asia, for instance, can hardly be understood by Asian peoples. Of course, we realize that the Nixon doctrine is called upon from the superiority of Capitalism and strong national power. However, it also causes the anxiety that it may mean a step retreat by the Anti-Communists.

As you all know, Korea was divided before the joy of liberation on August 15th, 1945, was, spread throughout the country, and our fellow-countrymen in the North have to suffer under that Communist imperialism. On June 25th, 1950, the Northern puppets committed the act of aggression against the fellow-countrymen and the act of bloodshed all over the country. By the help of United Nations Crusade and free nations, we could repel the aggressor and have successfully developed the economic situation through two remarkable 5 year plans under the great leadership of our president Park Chung Hee.

On the other hand, Vietnam was a sort of testing stone for the free nations to examine their unity, and ability to protect freedom. The freedom and peace of Asia is the key to the permanent peace and prosperity of the world.

The Republic of Korea has sent troops to Vietnam to protect freedom and independence of Vietnam and to secure peace and security in the Pacific area, renewing the anti-Communist struggle and international cooperation.

Asia is the key to decide whether mankind may enjoy peace and prosperity or may be enslaved by endless war and fear. You are the brave anti-Communist leaders who understand the mission of Asian peoples.

If the world correctly understood the meaning of Korean armistice at Panmunjum, they might have prevented the Vietnam situation. Now, if we do not definitely establish freedom in Vietnam by destroying the Communist aggression thoroughly, we may lose whole Asia to them. Sixteen years ago, you correctly grasped the historical situation, and for the common cause to prevent Communist aggression, you established the Asian People's Anti-Communist League. Your spirit of Anti-Communism and farsighted role have brought the development of the League.

At times, you passed timely resolutions and declarations, exchanged informations and materials to expose the falsehood of Communists and cruelty of their tactics.

You have established the Freedom Center, the only anti-Communist study center which has contributed to decision-making of Anti-Communist policy, to the anti-Communist enlightment of free peoples, and to the education and training of anti-Communist enlightenment of free peoples, and to the education and training of anti-Communist elite.

To assist the strengthening of anti-Communist League, our president Park Chung Hee led to establish ASPAC. The most sincere desire of mankind is to create a secure abundant society where they can enjoy peace, freedom and prosperity. However, hate and struggle are agitated by the Communists everywhere in the world. The dark cloud of violence is covering the sky, threatening life, liberty and pursuit of happiness. This is the destructive activities of international Communists who challenge against the human reason and international order.

Consequently, the road which the free peoples should desperately choose is the way to mutual cooperation and strong unity.

If we get together as the rivers pour into the sea and pour our utmost power, we shall be able to sweep away the fear and poverty from this area, and to create welfare state longed for by all the peoples.

The imperative task which our generation is facing is to overcome the realities of turmoil in Asia and to build up a new Asia of peace, freedom and prosperity free from threat of aggression. For this ideal, we have been gathering year after year with trust and comradeship.

The threat of Communist aggression is now expending from Pacific area into Middle East and Africa, and even to Latin America and Western Europe. The Anti-Communist spirit must be aroused throughout the world, and our activities must also advance from mere protection of freedom to the positive expansion of freedom.

All the isolated and divided Anti-Communist fronts must be unified as a world-wide system of freedom under this World Anti-Communist League to fight Communism most effectively in this era of space.

However, our road is still facing many obstacles and trials. Our front is not yet so strong as to overcome our weaker links in the chains where the Communists are infiltrating day after day. Following the trends of the times, and with the excuse of raison d'etre, certain nations claim the separation of the economics from politics to do business with the Communists.

However, if such business is inevitable, such nations must wait until the Communists stop the use of violence and show the act of fair competition.

On August 15, our president Park Chung Hee showed a new way of peaceful unification of Korea, and a positive and realistic approach to the so-called peace offensive. Our President emphasized that the northern puppets should give up their present acts of aggressive and war-provoking violations of law. Their peace talk is a lie, deception and disguise until they give up the war and respect the authorities of the United Nations. The northern puppets must show the sincere intention by action. They must stop the infiltration of armed spies and agents, kidnapping of ships, planes and crews. They must declare that they have given up the plan of overthrowing the Republic of Korea by the Communist revolution of violence. They must not sacrifice our people in the North by enslaving them into the useless war-industry and war-preparation. They must come to the fair competition of national development, constructions, and creation.

The national development in the Republic of Korea under the leadership of our great

President has shown unprecedented progress in Korea during the last ten years and, by the end of the third five year plan in the late 70's, the GNP of the Republic of Korea shall be four times of that in the north. The freedom, national sovereignty and economic progress in the Republic of Korea shall influence the people in the north so that they may cause to change the social system in the north.

Such idea of our President may apply to Vietnam and also to China.

However, as we foresaw, the northern puppets refused this positive idea of our President. This means that the northern puppets are exposing their ambition for the Communist unification by violence and this shows that they do not respect the authority of the United Nations.

The northern puppets are zealous of the economic development and international enhancement of the Republic of Korea, and are continuing desperate destruction and unlawfulness. They kidnapped our civil Korean Airline plane and have not yet returned the remaining guests and crews. They also kidnapped our Navy ship which was peacefully protecting our fishing boats. They have tried to assassinate our government leaders by placing explosives at our national cemetery. The number of their violations of armistice provisions since July 27, 1953, mounts to 7,713 cases and incidents. The northern puppets have plotted even the bacteriological warfare. In January, they concluded contracts to import Cholera from certain companies, and on April 8, the armed spies caught in paju carried poisonous bacteria. They have no respect of Geneva convention which prohibited the use of poison and bacteria in war.

This also shows that all the Communists of the world including the northern puppets are continuing their ultimate objective of communizing the whole world by violence. This also is a warning bell to some leaders of free nations who think that the Communist may be appeased.

The Communists have shown that they are the wolves with the disguise of sheep.

We have seen in Czechoslovakia that even within the camp of Communism, any attempt to freedom is trampled down. We have seen in Russia and in satellite nations that cliques try to mercilessly destroy the comrades. We have seen in free nations that the smile by the Communism is a trap and temptation which would weaken and destroy anti-Communist front and freedom.

Therefore, we should all the more watch and prepare when the Communists pretend to be soft and peace-seeking.

We have gathered here to represent the desires of free peoples and are determined to enhance justice and law as against injustice and unlawfulness, and to liberate the peoples behind the curtain of oppression and fear.

We must carry on the great task toward the peaceful world with our unified "power of freedom". We firmly believe that your intelligence and decision, unity and cooperation, shall accomplish our goal for the freedom, peace and prosperity of mankind.

Thank you.

THE NATIONAL CAPTIVE NATIONS COMMITTEE, U.S.A., IN ANNUAL ACTION FOR WORLD FREEDOM

(By Dr. Lev E. Dobriansky)

Mr. Chairman and Distinguished Delegates to the Fourth Conference of the World Anti-Communist League, it is my privilege again to report concisely and essentially on the concrete annual action taken by the U.S. National Captive Nations Committee for world freedom—in Asia, Eastern Europe and Cuba. As in the many years past, it is our policy here not to dwell on ideological rhetoric and theoretic abstractions, but rather to highlight in an essentialist operational framework the major and specific deeds of NCNC and its affiliate members toward the grand and consummate objective of world freedom, eternally rid of the cancer of Soviet Russian imperio-colonialism and so-called Communist imperialism.

Also as in the past, words in themselves are inadequate to express fully and completely our profoundest gratitude to the Japanese Chapter of WACL for making this historic conference in Japan possible. It is assuredly no note of societal flattery in one case or slight in other cases to state that Japan and its dedicated people is conferred by sheer economic power and industry to assume the critical responsibility of insuring freedom in Asia as these requisities have imposed a similar politico-moral responsibility on my country to insure freedom in other parts of our world. The remarkable work of the Japanese Chapter is a solid step toward this politico-moral responsibility, and we pay overwhelmingly tribute to its historic performance.

Despite the over-publicized troubles we have in the United States, NCNC has maintained a steady course in pointing to the most basic realities of the world situation that substantially have not changed these past three decades. Many see ever-present change of a Heraclitean form in transient superficialities and have shown themselves to be blind to the conditional, permanent structure of the Red Empire, with its some 27 captive nations. The prime objective of NCNC in this period has been, and is, to maintain the level of sobriety and realism concerning this structure, and we have no doubt that the time will come when from this current objective we shall move to one of operational goals directed at the liberation and freedom of the captive nations. On this score, the spiritual and moral resources of my country are boundless, and only require the emergence of a situation of critical confrontation with the main enemy to be tapped into an explosive force. At that time, the superficial problems of the present will be viewed as so many societal winds.

It has been in this interpretative context that this past year NCNC has realized the following accomplishments and activities:

(1) The veritable privilege of having addressed the Third WACL Conference in Bangkok, Thailand on the subject of "Enslaved Peoples Under Communism" was quickly capitalized in its publication by a number of widely circulating periodicals and organs. The address and major documents of the Conference were published in the U.S. *Congressional Record* of February 5. In the following months, the address was also published in the *WACL Bulletin*, the *ABN Correspondence*, the *Ukrainian Bulletin* and other publications. This diverse publication led to numerous inquiries about WACL and several engagements for lectures and addresses.

(2) Prior to the Third WACL Conference we managed to have another Congressional resolution passed, calling for the printing of 10,000 copies of the official book which we compiled and edited under the title of *The Captive Nations Week Movement*. At the beginning of this year the widest distribution was given to this informative book in the United States, the U.N., and the world capitals. Through the auspices of NCNC many of you present here received a copy of this work. The reaction to this background work was most salutary and interesting.

(3) As in all previous years, NCNC supported the celebration of Freedom Day by the Republic of China. The important January 23 event was observed by inspired messages, American representation in Taipei, and publication of the event's activities and addresses in the U.S. *Congressional Record*. Dr. Ku Cheng-kang received most deserving tribute for his leadership in this vital political observance.

(4) Concurrent with these operations, NCNC propagated immediately after the Third WACL Conference the strategic concept of Asianization, Not Vietnamization, of the Indo-China war. Long before the Cambodian development, we advanced this concept on December 10, 1969 in a lecture to the U.S. Army Mobilization Group at the National Press Club in Washington, D.C. The head of this group is the Honorable Bryce Harlow, a close aide to President Nixon. In Miami, Florida, this was further discussed over the Alan Courtney show over NBC's WIOD on December 23 and 30. Following Cambodia, it was refreshingly re-discussed over the same show on May 27. It was also argued on a panel consisting of the Honorable John R. Rarick and two Department of State representatives on March 12 over the Georgetown University TV-Radio Forum. In addition, lectures were delivered on the subject during the spring before Republican Women's clubs, Lions International and others. And the February 15 issue of the Miami periodical *Insight Into The News* carried an article on the subject by me, which the Honorable E. Ross Adair of Indiana and high-ranking Member of the U.S. House Foreign Affairs Committee introduced into the *Congressional Record* on August 14, with remarks as to its foresight and perspective.

(5) Conveying the spirit and sentiments of WACL, NCNC was a main participant in the formation of the American Council for World Freedom. The week-end formative conference on February 27–March 1 was a milestone in the direction of a WACL chapter in the U.S. At this conference and a subsequent executive board meeting on June 1, NCNC consistently upheld this necessary direction and shall persistently work for its consummation in cooperation with all other responsible American anti-communist groups.

(6) In the course of these many months, NCNC has steadfastly upheld the actions of President Nixon in Vietnam, Cambodia, and against the myopic isolationist elements in the U.S. By direct messages, releases and consultations NCNC's record on this score is clear and unequivocally supporting. At a State dinner in the White House on August 4, honoring President Mobutu of the Democratic Republic of the Congo, it was my privilege to reassure President Nixon of our complete support of his policy in Asia and our hopes for a developed Asianization program designed to secure all of non-communist Asia and liberate its communist portions.

(7) Throughout the year and to the very present, NCNC has gained the support of numerous American legislators for the objectives and actions of WACL. As a measure of this, material bearing on WACL's Freedom Academy in Korea, the Third Conference in Bangkok, the observance of Captive Nations Week in Asia and other activities have been prominently featured in the *Congressional Record*. It is truly remarkable the responses, both favorable and hostile, that are precipitated in the U.S. and even beyond through this official publication.

(8) With President Nixon's urging the ratification of the Genocide Convention by the U.S. Senate, NCNC participated on April 27 in hearings on this issue before the Senate Foreign Relations Committee. On May 14, the Honorable Edward J. Derwinski introduced NCNC's testimony in favor of the convention into the *Congressional Record*. Here, as in many other spheres, the U.S. has lagged behind other countries in politically and morally preventing the most heinous of crimes that Mao Tse-tung, the Russian imperio-colonialists and other Red totalitarians have callously indulged in. The importance of this U.N. convention for all of our countries cannot be too strongly emphasized.

(9) In mid-spring of this year NCNC embarked on another educational and informational project with a world-wide distribution of the Congressional reprint "Captive Nations in the 70's." With the material support of one of its member organizations, the Ukrainian Congress Committtee of America, NCNC had this piece reprinted from the April 20th *Congressional Record* and over 5,000 copies were sent to opinion-makers in the U.S. and abroad. Here, too, many of you received this reprint which spells out clearly the strategic importance of the captive nations in Eastern Europe, the USSR, Asia and Cuba to the world struggle against the Red regimes.

(10) Following this, and as in all previous years since July, 1959, NCNC launched upon preparations for the usual nation-wide observance of the 1970 Captive Nations Week. These preparations, extending from requests to the White House down to guidance of local committees and groups throughout our broad country, are time-consuming and costly. In the long run of our struggle, they are crucially important. Despite the changing political climates in the U.S., every President since the Eisenhower Administration eleven years ago has issued a Presidential Proclamation of the Week. And when Dr. Henry A. Kissinger stated in a letter to NCNC on July 2 that "I can assure you . . . of the President's personal interest in the Proclamation and that it will be issued shortly," we in NCNC were reassured of the prudent and fundamental course being pursued by our Government.

(11) Under the guidance of NCNC the 1970 Captive Nations Weeks Observance in the U.S. realized reasonable success. The President issued a well-worded Proclamation, and as always the response in Congress was enthusiastic. On July 15, the Speaker of the House of Representatives, John W. McCormack paid special tribute to NCNC in these words:

"A special tribute is in order, I feel, to the National Captive Nations Committee of Washington, D.C., who for 12 years have spearheaded this annual observance of Captive Nations Week."

In New York, Cleveland, Chicago, Philadelphia, New Orleans and many other cities the observance was well conducted. The NCNC Chairman was with Mayor Sam Yorty in the Los Angeles observance. In Washington, D.C. a special lecture was delivered on the captive nations by the Honorable Edward J. Derwinski at Georgetown University. The *Congressional Record* for July and August is replete with published material on the 1970 Week. Also, Congressman Philip Crane of Illinois represented NCNC at the Week's observance in the Republic of China, which on record is the finest anywhere.

(12) Strongly relevant to critical problems in the Sino-Russian rift, the democratic reconstruction of Asia, the Middle East and Central/Eastern Europe, the issue of the captive non-Russian nations in the USSR has been of concentrated interest to NCNC. It is supporting, among many interrelated matters, H. Res. 979 in the U.S. Congress dealing with Ukraine, the largest captive non-Russian nation in the USSR as well as in Eastern Europe. Similar efforts are being directed at the U.S. Senate. The strategic importance of these captive nations in the USSR cannot be overly stressed, for they bear on the power of Moscow and its world-wide exercise, as seen, for example, in the Russian rape of Czecho-Slovakia in 1968.

(13) The educational undertaking of NCNC for the creation of a Special House Committee on the Captive Nations in the U.S. Congress continues unabated. This objective was widely expressed during the 1970 Captive Nations Week observances. It has also been repeatedly written about and broadly circulated. Starting with the 1970 Captive Nations Week, a signature campaign has been under way for the establishment of this crucial committee. With the Congressional races in November, the issue will be pressed in districts about the country and should be of considerable importance come the next Congress in 1971. NCNC keeps abreast of every aspect and development of this.

(14) Albeit of indirect significance, a measure in the U.S. Congress which should be of considerable interest to both the peoples in the Free World as well as those in the Red Empire is the Ethnic Studies Centers bill. NCNC has also concentrated its efforts on the passage of this bill so that Americans generally will become more sympathetically familiar with the traditions, customs and aspirations of the peoples of the world. In the United States every national and racial strain is representative—this is the uniqueness and historical experiment of mankind in America—and these contemplated ethnic studies centers, starting from the secondary schools upward, would bring a greater and more appreciative understanding and feeling of the cultures and wants of the peoples of Asia, the Middle East, Africa, Latin America and elsewhere on our common globe. Because of its foreign policy implications as well as purely cultural purposes that incidentally would lighten the burden of every Ambassador in Washington, NCNC submitted testimony on March 25 to the U.S. House Subcommittee on Education in full favor of this vital measure. It has also used its facilities to educate popular favor of the bill. This is a continuing action aimed at fruitful success in the period ahead.

(15) And, with the invaluable assistance of the Ukrainian Congress Committee of America, an organizational member of NCNC, we are preparing for wide distribution of the new book written by the chairman under the title of *USA and The Soviet Myth*. The introduction to the work is provided by the Honorable William G. Bray of Indiana, who is a high-ranking Member of the U.S. House Armed Services Committee. The book presents an unusual structure of world power politics that affects the interests of every country represented here. Due for publication this fall, NCNC is presently preparing for its world-wide distribution far beyond what it set for the chairman's earlier publication on *The Vulnerable Russians* in 1967.

In conclusion, Mr. Chairman and distinguished delegates, these are the highlights of NCNC's performance in the struggle against the Red totalitarian imperialism throughout the world. Moscow's strategic psycho-political policy of "peaceful coexistence" is reaping the benefits of time, military-technologic catch-up, and subversive incursions on all continents for the Red Empire. Those in official or private circles who are not aware of this subtle development are really, one must regretfully admit, playing into Moscow's hands. We in NCNC are certain without an iota of doubt that this deceptive policy by the Russians will exceed itself at some point when the full importance of the captive nations for the survival of the Free World will be thoroughly and completely realized. Our fervent prayer is that this realization will prevail before an otherwise inevitable confrontation emerges between the Free World and the Red Empire. In short, to prevent this otherwise inevitable outcome, with its unpredictable results, NCNC will continue to advance a concept and operational scheme designed both to deepen the insecurity of the Red Empire and to advance the borders of world freedom both in Asia and Eastern Europe. It will do so in concrete deed, not just in rhetoric. By concentrating on the captive nations in toto—in Asia, in the USSR, in Eastern Europe, in Latin America—we sincerely feel that the greatest catalyst for mobilizing the forces of world freedom is in the freedom of the captive nations. What so-called revolutionary, in the Free World bearded or otherwise, could possibly profess a higher idealism than this!

AN ALTERNATIVE TO THE THERMONUCLEAR WAR—ADDRESS BY JAROSLAV STETSKO, CHAIRMAN OF THE ORGANIZATION OF UKRAINIAN NATIONALIST (OUN), PRESIDENT OF ABN, FORMER PRIME MINISTER OF UKRAINE

I. INITIAL POSITIONS OF THE REVOLUTIONARY UKRAINIAN LIBERATION MOVEMENT (OUN)

Our goal: Reestablishment of a sovereign and independent united Ukrainian State, through the liquidation of the Russian empire, namely its dissolution into national, independent, democratic states of the presently subjugated nations within their ethnic boundaries and the destruction of the Communist system.

Reestablishment of Ukrainian independence and because of this, dissolution of the Russian empire, would result in revolutionary changes on the political map of the world. Russia would lose access to the Mediterranean Sea, to the Near and the Middle East, to Africa, and with a possible independence of Siberia, also her position on the Asian continent.

The geopolitical situation of independent Ukraine, the Caucasus and Turkestan has exceptional significance for a new arrangement of political forces in the world.

The revolutionary anti-Russian and anti-Bolshevik concepts propagated by Ukraine, the indestructible human potential and human resources of Ukraine—are component elements of the exclusive position enjoyed by Ukraine at present and in the future.

Our road to liberation: Synchronized national liberation revolutions and armed uprisings in Ukraine and in other subjugated nations. The reality of this road, even in a terroristic, totalitarian system, was confirmed by the Hungarian Revolution, the uprisings in Poznan and East Germany, and, in particular, by the uprisings of Ukrainian and other prisoners in 1948 (Vorkuta) and in 1953–59 in various concentration camps of Siberia and Kazakhstan. A temporary failure of these uprisings does not mean their permanent failure or their unfeasibility as the means of liberation.

In the West the very possibility of an uprising has been questioned for decades. But life has shown otherwise. Now we are not concerned with proving the feasibility of an uprising as such, but the possibility of a successful, victorious uprising. The failure of the Hungarian or East German uprising was caused by their isolation and lack of coordination with uprisings in other subjugated countries, as well as *total orientation* upon armed assistance from the West. It is not enough to appeal exclusively to the West. The Hungarian insurgents should have concentrated their attention upon combining the interests of the subjugated nations with the interest of the Hungarian people and not on propagating a separate liberation. They should have supported the liberation of all subjugated nations. An appeal to the soldiers of the Soviet Army in Ukraine and elsewhere would have brought more success than the desperate cries for help to the West, which was not even able to render political support.

An opportunity for an uprising could be provided either by a favourable external or internal political situation or both simultaneously. The Berlin blockade (an uprising in Vorkuta in 1948), the death of Stalin, the liquidation of Beria, the war in the Middle East, an armed conflict between Russia and her external enemy—all these are opportunities for insurrections, provided the situation in the empire is ripe and the peoples are prepared psychologically and morally for a revolutionary act, either spontaneous or organized in advance. From this side of the Iron Curtain it is necessary to conduct systematic, long-range ideological training and activization of the broad popular masses in

order to create an internal revolutionary situation of preparedness to take advantage of a favourable opportunity or to create psychological and moral preconditions for a revolutionary act. It is impossible to predict the time of the outbreak of the national uprising or to determine the components of the situation. The potentials of human or national soul cannot be made to conform to some fatalistic or rationally calculated principles. Neither the Hungarian, nor the East German, nor the national liberation uprisings of the past have been rationally calculated, but came as the result of the strenuous, many-sided preparatory struggle, in particular, the ideological mobilization of the people and the accumulation of revolutionary dynamic and agitation. All the more under conditions of totalitarian, terroristic regime, the frontal and multiple pressure of the occupant in all phases of life and on each individual creates the situation of resistance of each and all oppressed members of the subjugated nation. Through the accumulation of hatred and systematic passive resistance and parallelly more and more intensive outbursts, the conditions are ripening for a nationwide explosion. An opportunity cannot always be foreseen. It can be created.

The territories of Siberia, Turkestan and the Caucasus are in particular well-suited for insurgent actions, for they are populated by millions of nationally and politically conscious Ukrainians, who were deported from Ukraine—an element which is particularly capable of engaging in revolutionary acts. The political mobilization of Ukrainians and members of other subjugated nations, who live in these countries as well, must be part of our plan of psychological warfare.

A possible spontaneous explosion does not necessarily mean an uncalculated outburst, but a discharge of concentrated, accumulated revolutionary potential, which had been steadily collected by the leading political and cultural revolutionary elements through their activities. They do not have to be members of an underground revolutionary liberation organization like the one which existed until now. The fact that the leading revolutionary cadre is present cannot be denied by the absence of an underground organization, built on the old model. The leading cadres of the revolution—both political and military—exist regardless of the fact whether it is possible or impossible to organize them into an old-type underground organization. In the midst of struggle the leading revolutionary elements—military and political—are going to assume organized forms under the protection of their armed force.

In a terroristic system a revolutionary organization must limit itself to the following three elements which make up a revolutionary organization:

(a) an agreement of its cadres as to principles,

(b) an agreement on political guidelines of action,

(c) technical and organizational contacts, which are to serve for successful realization of tasks *a* and *b*.

But on the basis of our concept of liberation revolution, in which we are not counting on a palace revolt of the Pretorian Guard or on some plot which would decide on the success of the national liberation revolution, but on the struggle of the people, on mass struggle, the technical and organizational ties are not decisive. Here the development of dynamic national and political consciousness and self-reliance of the broad popular masses, with the accent on aggressive mass actions, comes into play. It is hardly necessary to conceal such actions, when the masses are taking part in them. For this very reason it is necessary to have perfected technological means for the organization of struggle and the transmission of instructions-guidelines. A description of this or that acton, as for example in Novocherkask in 1964, broadcast on the radio becomes a guide for action in other centers of Ukraine and elsewhere.

Even a description of a demonstration by our youth in front of the Russian Embassy in London or Ottawa, transmitted to Ukraine or Turkestan, becomes a stimulus for a modified but analogous form of action in Kyiv or Tashkent. The young people in Ukraine are technically well-trained and it is not a chance occurrence that hundreds of radio hams, who transmitted foreign radio broadcasts on their own transmitters, were arrested in Ukraine as "hooligans of the air."

Therefore it is enough to have hitching posts. An organizational network is not absolutely necessary in the age of advanced technological progress. We are concerned with efforts in the direction of psycho-moral, political and ideological revolutionization of all strata of society, differentiating the psycho-political struggle of relatively different elements within the subjugated peoples: (a) youth, (b) members of the Soviet Army, (c) members of the Komsomol, (d) workers in the field of culture, (e) technocrats, (f) blue collar workers, (g) collective-farm workers, (h) intellectuals, (i) members of the Communist party, (j) civil servants, etc. Within the empire the conflicts are going to become bigger and bigger. They are stemming from its national composition and the anti-naturalness of the Communist system, as the Russian way of life. And thus there are the subjugated nations and the ruling nation; the terrorist system and the human longing for freedom; the threat of a permanent explosion of the oppressed individual and nation; the intensification of contradictions and the widening of gaps and conflicts between the ruling Russian and the quisling strata on the one hand, and the freedom-loving forces of the peoples on the other; social injustice and wrongs and the new class of exploiters and Communist magnates; many-sided resistance to the anti-natural collectivistic system on the part of the subjugated nations and individuals, and so forth.

II. THE SUBJUGATED NATIONS—KEY ISSUE IN WORLD POLITICS

In practice a battle is being fought for the subjugated peoples, although they are never spoken of, and no reference is ever made to them in negotiations between the super powers.

The essential problem is not arms limitation but the gaining of the souls of those who carry these arms, in order to make them turn them against the Russian oppressor. The non-Russian peoples make up the majority of the population of the USSR and for this reason the majority of soldiers in the Soviet Army are non-Russians. Together with the satellite countries the power ratio is way above 1:2 in favour of the non-Russians.

Thus the free world should place its stakes upon the break-up of the Russian empire and the despotic Communist system from within, i.e. it should count upon the national revolutions, finalized by an armed uprising. Gen. J.F.C. Fuller's concept of modern warfare should not only be the object of study by military experts of the free world, but of practical application. In essence it is close to our own revolutionary liberation concept. Ideas, says Gen. Fuller, are stronger than atomic bombs. Atomic bombs cannot be dropped at revolutions and revolutionaries, at uprisings and insurgents, for the Russian occupation forces would be liquidated at the same time and the radioactive fallout would also destroy the Russians, not only in Ukraine, but also on their own ethnographic territory. Therefore the national liberation revolutions and armed uprisings are also an alternative to thermonuclear war. Moreover, the situation in Vietnam proves how hard it is, even for a super power, to be victorious in a practical confrontation with a guerrilla-insurgent concept, the most modern type of warfare in the thermonuclear age.

Thermonuclear age is at the same time an ideological age. The insurgent-guerrilla age is adequate for the ideological age. With the growth of military technology, its modernization and the ever newer inventions of more and more destructive weapons, increases the importance of the armed people (with simple weapons at times). And this is comprehensible and life-saving for humanity, for, regrettably, the ethical and cultural armament of the human race, its morality and spiritual culture, do not go hand in hand with technological progress. The more powerful and all-destructive the thermonuclear weapons become, the greater becomes the role and the significance of an individual in the struggle for freedom or in defense of freedom.

Western support of the revolutionary liberation processes will not lead to thermonuclear war, but instead will make the latter more unlikely since the Russians are going to be threatened by a possible attack from outside, as for example from Red China.

Russia is actively and militarily supporting the so-called national liberation "anti-colonial" guerrilla formations and acts in various countries—and no nuclear war ensues. Russia is building up an internal front in the USA (student revolts, Negro unrest, marches on Washington to protest against White House policies, and so forth)—and no nuclear war ensues. The pro-Russian front is penetrating the entire free world, cutting across free nations, parts of whose members are supporting the Russian interests, in opposition to their own national interests.

The hopes placed upon Communism's evolution toward democracy or the fall of the Russian empire of itself are a dangerous illusion for which the free world could pay with total thermonuclear destruction or capitulation before the Russian tyranny.

With their presence alone the US armed forces are not always capable of stopping the Russian expansion. For example, the presence of the Russian fleet in the Mediterranean Sea and the construction of military bases around it, prove this clearly. Only a confrontation, as was the case during the blockade of Cuba, could be successful. But where is the *casus belli* of a democratic power—is often hard to determine, even for its government. But under such conditions Russia can commit the error of miscalculation as Hitler miscalculated with his attack upon Poland, who also did not take the central problem of that time into consideration, which is even a greater problem today: the subjugated nations.

The Russian empire is growing in the age of so-called peaceful coexistence. Russia's constant drive forward under pressure from the subjugated nations, without a counteraction by the USA, in the sector of Ukraine and other nations subjugated in the Russian empire, will lead sooner or later to an armed clash between Moscow and Washington. The concept of the polarization of the world is unrealisitc, for new forces are always arising which cannot be controlled by force. This concept requires that the USA together with Russia act as bogeyman for all. But this is contrary to the nature of the American people and in the long run is objectively incapable of being maintained. The American nation, which is composed of citizens with various ethnic backgrounds, more than any other nation of the world, must base its policies on ethical principles, for otherwise it would be hard for it to find a common denominator for its citizens of English, Irish, German, Jewish, Polish, Ukrainian, Latvian, Slovak, Hungarian, Italian, etc. descent in their defense of the interests of their former

homelands. It is most probable that the United States might have to fight against Russia in order to keep Israel from collapsing. In the Cuban situation the same threat was present. And how many more such situations are awaiting the USA in view of the systematic, continuous aggression of Russia, which now has a fleet second only to the United States and submarine bases on various continents. And yet, not so long ago, Russia could hardly be considered a sea power, only a land power.

In order to stop Russian expansion (which now extends to the Indian Ocean and Latin America, her submarines appear in Australian waters, and even in those of the USA and Canada, all the more since Great Britain—regrettably—is giving up its military bases and Russia is filling the vacuum here and there, for the USA, it seems, cannot be present everywhere) it is mandatory to support the national liberation revolutionary processes within the Russian empire in order to bring about its dissolution from within and consequently the fall of Communism, without an atomic war.

The subjugated nations are the Achilles' heel of every empire, and even more of the despotic Russian prison of nations and individuals. To count upon them is to count on something permanent, for the striving for freedom and state independence cannot be stifled by any tyrannical system of rule, which is clearly proved by the present processes in Ukraine and in other subjugated countries (the struggle of the intellectuals, cultural leaders, poets, youth, etc.) Prisoners never defended their prison. For this reason the subjugated peoples are not going to defend the empire under any conditions, but are going to search for ways and means of its destruction, undertaking in extreme cases, a two-front war, as was done by the Ukrainian Insurgent Army (UPA) in its fight against both Germany and Russia, should the conditions prevalent in World War I repeat themselves.

It is a historically proven fact that Russia was always defeated in internal revolutions, not in external wars. Some examples: In the 1904–5 war with Japan and in 1917–18 Russia, a member of the victorious Entente, lost the war because of national uprisings and liberation wars of the subjugated peoples, which, headed by Ukraine, reestablished their independent states. Napoleon and Hitler lost the war because they did not take into consideration the Achilles' heel of the empire—the subjugated nations, and the support of their national aspirations.

The counting of some in the West on the fact that Russian expansion can be stopped by a Russo-Chinese war, may be erroneous for both sides are conscious of the fact that in this type of a situation the U.S.A. would be victorious. On the other hand, a common front of the U.S.A. and Russia would be a repetition of the Allies' error in World War II: a common front with the Russian tyranny against the Nazi tyranny. Churchill aptly remarked later, "We have slaughtered the wrong pig". In our view, it was necessary to slaughter "both pigs" in a common front of the Allies and the peoples subjugated by Berlin and Moscow. The West had that chance when the U.S.A. joined the great coalition.

The war between Russia and Red China could be either thermo-nuclear or conventional. It cannot be a guerrilla war on the territory of the USSR on the part of Red China. Red Chinese guerrillas cannot expect any support from the people of Ukraine, Turkestan, the Caucasus or Byelorussia. They cannot expect this support in Siberia either, where there are millions of nationally and politically conscious deportees from Ukraine and other subjugated countries. A guerrilla war of the Red Chinese is only possible in Asia where there are Chinese settlements and sections of nations sympathetic to Communism which are racially close to the Chinese (Red Vietnamese, Cambodians, Thais, etc.), but so far, conscious of anti-Chinese sentiments among the Asian peoples threatened by Red China, the Red Chinese did not export their guerrillas anywhere in large numbers.

A Russo-Chinese conflict is in our interest, as are all complications faced by Russia in the field of foreign policy, but we do not share the view that the enemy of our enemy is necessarily our friend. Hitler was not our friend, although he was an enemy of Moscow.

Ukraine is not going to fight for the preservation of the Russian empire, nor for its "democratization", but for its liquidation. However, she will not fight on the side of Red China either, whose colonial aims are analogous to those of Nazi Germany. We are going to take advantage of all conflicts in which Russia is involved in order to topple the empire. We are not going to defend the prison of nations. All external difficulties of Russia are creating a favourable situation for the revolutionary liberation movements in their attempts to unfold revolutionary activities and to intensify the revolutionary struggle. The dispatching of Soviet divisions to the Far East, their decrease in Ukraine, the opening of an American and Red Chinese fronts against Russia—all these are in our interest. The more fronts Russia has the better for us. But this does not mean at all that we are orienting ourselves upon any of Russia's enemies. We are orienting ourselves upon our own forces, upon the common front of the subjugated nations, which share our fate. And finally, the counting of some upon a Russo-Chinese war is only one of the possibilities, which may not come true, when Russia will facilitate Peking's southward expansion and its expansion into Southeast Asia, as was contended by Gen. J. F. C. Fuller. Then the USA might have to fight a two-front war against Russia and against Red China.

The U.S.A. does not only have the alternatives: to side with Russia against Red China, or with Red China against Russia; it has also the most lasting, anti-imperialistic alternative: to side with the subjugated nations against the aggressors. This very alternative was ignored by the Allies in World War II, thus helping the Russian aggressors to conquer not only half of Europe but in fact to build Russia into a world power.

RESOLUTION ON 13TH OBSERVANCE OF CAPTIVE NATIONS WEEK IN 1971

Whereas the U.S. Congressional Resolution on Captive Nations Week, which President Dwight D. Eisenhower signed into Public Law 86–90 in 1959, has been a major obstacle to the Communist objective of obtaining Free World acquiescence to the captivity of 27 nations in the Red Empire; and

Whereas this Resolution emphasizes the basic strategic importance of all the captive nations, including those in the Soviet Union, to the security of the Free World; and

Whereas the Resolution also symbolizes hope and encouragement to the one billion captives in Central Europe, the Soviet Union, Asia and Cuba in their eventual liberation and national freedom and independence; and

Whereas WACL, since its inception, has steadfastly upheld the annual Captive Nations Week provided by the resolution and many of its members, particularly those in Asia, have conducted the Week's observance to the detriment of Communist propaganda and objectives and toward the fulfillment of the aspirations of the captive peoples;

Therefore, be it resolved that all participants in the 4th WACL Conference make early preparations for the 13th observance of Captive Nations Week in July, 1971 and that for the publication of their respective activities in the U.S. CONGRESSIONAL RECORD materials be sent to the National Captive Nations Committee in Washington, D.C.

RESOLUTION ON SOVIET RUSSIAN COLONIALISM AND THE SUBJUGATED NATIONS

Whereas, the present-day Russian imperialism as continuation of the tsarist one, after the liquidation of the national state independence of Ukraine, Byelorussia, Georgia, Azerbaijan, Armonia, Turkestan and other nations subjugated in the USSR in the 1920's, during and after World War II forcefully annexed Lithuania, Latvia and Estonia to the USSR and transformed other nations of Central and Eastern Europe (Hungary, Bulgaria, Poland, East Germany, Rumania, Croatia and others) into its satellites and from this imperial base further expanded its aggressive plans and actions into Latin America (Cuba), Asia (Vietnam, Korea, Laos, Cambodia), Africa (Tanzania), earlier helping the Communist Party to come to power in China;

Whereas, Bolshevik imperialism, fulfilling the dreams of the tears, may dominate the Mediterranean Sea, in particular the Middle East and North Africa, and building up its fleet almost to the size of the U.S. fleet, is now threatening Western Europe from the south, and with its submarines is penetrating the Indian Ocean and the waters of the U.S. and Canada;

Whereas, Soviet Russian imperialism may block the delivery of oil from the Arab lands to Western Europe at any time, gradually turning Islamic countries into its satellites and planning to carry out genocide against the state of Israel;

Whereas, Soviet Russian imperialism, aiming to conquer the whole world, is systematically preparing Communist revolts in Latin America, Africa, Asia, threatening Western Europe with nuclear weapons, and at the same time corrupting free countries by class struggle, racial unrest, the so-called student revolts and ideological demobilization of the intellectual elite, in order to dominate them from within, as well as inspiring Communist guerrilla warfare and peripheral wars;

Whereas, Russian imperialism hinders the reunification in freedom of Vietnam, Korea and Germany, aiming at their Bolshevization, and has conquered ethnographic Japanese territories, as a stepping stone to the Japanese mainland;

Whereas, Russian imperialism is consolidating and intensifying the terrorist regime in the countries subjugated by it ever more, committing systematic spiritual (Russification, Bolshevization) and physical genocide toward them in order to stifle the aspiration for freedom and state independence of the subjugated nations, crushing, for example, the East German and the Hungarian revolts and the uprising of the Ukrainian and other prisoners in the Russian concentration camps, as well as the struggle of the Czechs and Slovaks;

Whereas, Russian imperialism is getting away with each new territorial conquest or attempted Red aggression by threatening to use thermo-nuclear arms against the free world.

Therefore, be it resolved:

The Fourth WACL Conference:

1. Condemns Soviet Russian colonialism and imperialism and its aggressive aims, wars and actions, bent on the destruction of the God established world order, Russification and genocide of the subjugated nations, national and religious, political and cultural subjugation, persecution and oppression, economic exploitation and the stifling of free creativity of the intellectual elite;

2. Stands for the reestablishment of national state independence and human rights of all nations subjugated in the USSR and the satellite states and supports their national liberation struggle;

3. Considers that through destruction of the tyrannical Communist system and the Russian empire from within, by way of national liberation revolutions of the subjugated peoples, it is possible to avoid thermonuclear war;

4. Urges the free world to support the national liberation struggle of the subjugated nations, the reunification in freedom of Germany, Vietnam and Korea, the liberation of the Chinese mainland, Cuba and all other nations subjugated by Communism from Communist tyranny, as well as the returning to Japan of its ethnographic territories conquered by Russian imperialists;

5. Appeals to the governments of the free countries of the world to counteract by all possible means the ever-increasing Russian aggression, to liquidate their influence in the Black and the Mediterranean Seas, the Middle East, North Africa, the Indian and the Pacific Oceans and everywhere else, outside their own ethnic territory where Russian aggressors have appeared or are yet to appear, to prevent the transformation of the Arab states into Moscow's satellites and Moscow's attempts to perpetuate genocide against the state of Israel, as well as to use all efforts to obtain the release of political prisoners—fighters for human and national rights—from the Russian prisons and concentration camps;

6. Confirms that only through a) the rebirth of the heroic concept of life, faith in eternal human values, patriotism, the love of country, and the realization of social justice, can Communist and Russian ideological diversion be defeated inside the freedom-loving nations of the world, b) the common front of the free and the subjugated nations, is it possible to destroy the Communist system of tyranny and the Russian colonial empire and to guarantee a lasting peace and security in the world.

JOINT COMMUNIQUE OF THE FOURTH WACL CONFERENCE

PREAMBLE

Communism is the source of much human suffering in the world today. For Communism is an evil ideology based only on materialism, to the exclusion of all spiritual values. This is why Communism brings only the subjugation of humanity and the destruction of human dignity under dictatorship. Now that the menace of Communist forces is expanding everywhere, our task is to fight and ultimately destroy it.

In this first year of the 1970's, representatives of the World Anti-Communist League's 67 national and organizational member units and 29 observer groups gathered in Kyoto, Japan, September 15–17 for the League's 4th General Conference. The Conference theme was "Mobilizing the Forces of World Freedom."

With a profound understanding, and a high fighting spirit in the face of Communism, the participants brought their discussions to fruitful conclusions. Searching examinations of the many phases of the current world situation produced the following unanimous observations:

1. Confrontation is by no means ended. Communist forces, unless they are wiped out completely, will never give up their insidious attempts to enslave the whole of mankind;

2. Peace is what all peoples long for. But freedom is just as important a goal. We must continue to oppose peace through appeasement at the cost of freedom, for peace gained through compromise and capitulation cannot endure;

3. Free nations must recognize the futility of non-alignment, be under no delusion that national unification may be attained through negotiations, and desist from flirtations with the Communists.

As further elaboration of the main theme, "Mobilizing the Forces of World Freedom," important resolutions of the Conference specifically called for:

1. The unification of the masses of all countries in a joint effort for the victory of freedom;

2. The raising up of young people as a main force against Communist enslavement, and for participation in the fight to protect freedom;

3. The smashing of all Communist attempts at infiltration and subversion;

4. A victorious resolution of the crisis in Southeast Asia, preserving the freedom and independence of the Republic of Vietnam, and of Laos and Cambodia, and discarding any suggestion of coalition governments in that area;

5. An appeal to the United States to implement fully the constructive side of its new Asian policy;

6. The promotion of peace in the Middle East and a heightened vigilance against Communist Chinese attempts to incite new wars in the area;

7. Support for the efforts of the Latin American nations against Communism and Castroism with a consistent record of broken pledges to the Cuban people;

8. The whole-hearted participation of the African nations in the fight for freedom and against Communist tyranny;

9. Encouragement of freedom movements among the enslaved peoples of Eastern Europe and Soviet Asia, and of their struggles for national independence and self-determination, and of the revolutions by the peoples enslaved in the Soviet Russian empire. Included are such liberation movements as those existing in Ukraine, Azerbaijan, Georgia, Turkestan, Armenia, North Cuaoasia, Byelorussia, Bulgaria, Hungary, Lithuania, Latvia, Estonia, Rumania and Croatia;

10. Call for Support of the Republic of China's political offensive against the Red Chinese, and concrete measures to liberate the oppressed masses on the Chinese mainland, as well as implacable opposition to U.N. admission of Red China;

11. Call for Support of the Republic of Korea's unification program for Korea, and to liberate the enslaved people of North Korea according to the U.N. resolutions;

12. The establishment of further regional security organizations to prevent further Communist aggression;

13. The mobilization of freedom forces and the establishment of a global anti-Communist united front.

The success of this General Conference shows that Japan is resolved to fight valiantly against Communist forces in the future. Particularly significant is the contribution of the young people of Japan as an active force in the nation's fight against Communism.

It is the unanimous view of the participants that the WACL Conference which has just taken place in Japan, bears witness to the continuing and increasing role of Japan in the world anti-Communist movement.

The WACL conferences are deeply indebted to the Japan Chapter for its excellent conference arrangements and its gracious hospitality. Heartfelt thanks go also to the Japanese government and people for their enthusiastic welcome of WACL delegates and observers.

Particularly impressive were the arrangements for the World Anti-Communist Rally in Tokyo on September 20.

The Conference has decided to hold the 5th Conference of the World Anti-Communist League in Manila in July, 1971.

Convinced of the bright prospects of the present decade, and of the inevitable trend toward victory, the World Anti-Communist League dedicates itself to the achievement of an era of peace and freedom for all men and nations.

U.S. COMMISSION ON CIVIL RIGHTS ISSUES LANDMARK REPORT

(Mr. RYAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. RYAN. Mr. Speaker, after the congressional recess, the House will have before it the authorization bill (S. 2455) for the U.S. Commission on Civil Rights. I think no agency in the Federal Government so well deserves the support of the Congress, and I would regard unanimous passage of S. 2455 as its just due.

The independence, dedication, and integrity exhibited by the Civil Rights Commission and by its staff are a commendable lesson to those who feel that Government today must necessarily be unresponsive.

The Commission, whose Chairman is the Reverend Theodore M. Hesburgh, C.S.C., and whose Staff Director is Howard A. Glickstein, has no enforcement powers. Its purposes are to collect and study information, investigate complaints, submit reports, appraise Federal laws and policies, and serve as a national clearinghouse for information regarding denial of equal protection of the laws.

This year alone, the Commission has published several notable studies, including "Federal Installations and Equal Housing Opportunity," "Mexican Americans and the Administration of Justice in the Southwest," and "Spanish Surnamed American Employment in the Southwest." Its most recent study, released on October 12, is a monumental survey entitled "Federal Civil Rights Enforcement Effort."

Last year the Civil Rights Commission was responsible for the publication of several equally significant documents. These included "Cycle to Nowhere," the report of hearings held in Alabama; "For all the People—By All the People," a report on equal opportunity in State and local government employment; and "Jobs and Civil Rights," a study of the role of the Federal Government in promoting equal opportunity in employment and training.

The Commission has done all Americans a service by helping us all to recognize the discrimination which shames our country, and by helping to point the way to ending that shame.

The Commission's most recent publication, "Federal Civil Rights Enforcement Effort," is one of which I have some particular knowledge. Two years ago, I undertook, in concert with six of my colleagues, to hold ad hoc hearings on discrimination in Federal employment and by Federal contractors. The report of these hearings, entitled the "Ad Hoc Congressional Hearings on Discrimination in Federal Employment and Federal Contractor Employment," has been inserted in the CONGRESSIONAL RECORD by me. This report, inserted in three portions, may be found in the September 15, 1970, CONGRESSIONAL RECORD at pages 31900–31903, the September 18 CONGRESSIONAL RECORD at pages 32659–32669, and the October 9 CONGRESSIONAL RECORD at pages 36074–36102.

Having some expertise in the field, I feel that I can safely say that the Com-

mission's publication is a thorough and expert study. It documents the current status of civil rights enforcement activities of virtually every Federal department and agency having civil rights responsibilities. I am including a summary of the Commission's report. I urge every Member to most carefully study this, as well as the complete report itself.

What must be understood by every American, whether legislator or private citizen, is that equal rights for all is the moral and legal imperative which must be recognized, understood, and followed. Thus far, the Federal Government has failed in effecting equal opportunity for all. This failure cannot continue.

In its conclusion to its report on "Federal Civil Rights Enforcement Effort," the U.S. Commission on Civil Rights states:

The basic conclusion of this report is that the great promise of the civil rights laws, executive orders, and judicial decisions of the 1950's and 1960's has not been realized. The Federal Government has not yet fully geared itself to carry out these legal mandates of equal opportunity.

The Federal arsenal of civil rights protections is impressive. In nearly every aspect of life—voting, jobs, housing, education, access to places of public accommodation and facility, and participation in the benefits of all Federal programs—equal opportunity is guaranteed to every American as a matter of legal right. In many areas, however, the Government has not yet developed the mechanisms and procedures necessary to secure this right *in fact* as well as in legal theory.

To some extent, the failure to fulfill the promise of equal opportunity can be traced to impediments in the civil rights laws under which Federal agencies must operate. Coverage, while generally broad, is not always all-encompassing. For example, in the areas of housing and private employment, there are statutory exceptions which exclude millions of jobs and homes from the ambit of civil rights protection. Similarly, the remedies provided under some of these civil rights laws are inadequate to secure in fact the rights that are guaranteed by law. Often, the only recourse available to persons discriminated against is litigation, which can be a time-consuming and expensive method of securing relief.

Impediments in coverage and enforcement provided under the laws themselves, however, have not been the major obstacles to more effective administration of civil rights laws. Rather, the principal problem has been that the departments and agencies having civil rights responsibilities have failed to make maximum use of the procedures and mechanisms available to them. As a result, there is danger that the great effort made by public and private groups to obtain the civil rights laws we now have will be nullified through ineffective enforcement. The focus of civil rights must shift from the halls of Congress to the corridors of the Federal bureaucracies that administer these laws.

The Federal Government is not a monolith. It consists of a large number of departments and agencies that administer a wide variety of programs and carry different sets of responsibilities. By the same token, the civil rights problems facing these departments and agencies are not at all the same and the techniques necessary to meet them often vary depending upon the kind of program the agency administers and the kind of civil rights laws it carries out. Further, implementation by these agencies of civil rights laws has by no means been a total failure. Some agencies have enjoyed marked success in carrying out their civil rights responsibilities. In addition, agencies have been successful in carrying out certain aspects of their responsibilities and unsuccessful in carrying out others. Nonetheless, the Commission's study has revealed that there are a number of fundamental weaknesses and inadequacies in civil rights compliance and enforcement that are common to most agencies, regardless of the programs they administer or the civil rights laws they enforce. Among these shared weaknesses are:

Inadequate staff and other resources to conduct civil rights enforcement activities with maximum effectiveness.

Lack of authority and subordinate status of agency civil rights officials.

Failure to define civil rights goals with sufficient specificity or breadth.

Failure to coordinate civil rights and substantive programs.

Undue emphasis on a passive role, such as reliance on receipt of complaints, in carrying out civil rights compliance and enforcement responsibilities.

Undue emphasis on voluntary compliance and failure to make sufficient use of available sanctions to enforce civil rights laws.

Failure to provide adequate coordination and direction to agencies having common civil rights responsibilities.

Failure to collect and utilize racial and ethnic data—in planning and evaluating progress toward goals.

Some of these weaknesses may be the result of the trial-and-error efforts of agencies attempting in good faith to meet responsibilities in a relatively new area of concern. The Commission has made detailed findings and recommendations concerning each of the subject areas examined in its report, suggesting ways in which agencies can strengthen existing compliance and enforcement mechanisms.

Many of these weaknesses, however, also reflect more deepseated problems—problems of hostile bureaucracies that view civil rights as a threat to their prerogatives and programs, problems of inadequate or misordered priorities—which cannot be resolved solely through modification of specific compliance and enforcement mechanisms. For example, the failure to make sufficient use of strong sanctions, such as fund termination and contract cancellation, is less a reflection of inadequate enforcement mechanisms than the triumph of program bureaucrats in the artificial conflict between the exercise of program responsibilities and civil rights and substantive programs in a joint effort to achieve social and economic justice, in most agencies, the two have been separated and civil rights programs have operated in isolation from those that provide substantive benefits.

By the same token, the failure to provide sufficient resources for civil rights enforcement and the subordinate position in which civil rights officials are placed in agency hierarchies, undoubtedly are less a result of a lack of understanding of what is necessary for effective civil rights enforcement than a reflection of the deeper problem of misordered agency priorities in which civil rights is relegated to a position of secondary importance.

These problems suggest that more is needed than a strengthening and modification of compliance and enforcement mechanisms utilized by particular agencies. They suggest that the most serious flaw in the Federal civil rights enforcement effort has been the failure to provide overall direction and coordination—that the basic mechanisms that have been lacking have been those necessary to develop a cohesive, Government-wide civil rights policy and to assure that this policy is faithfully carried out.

In fact, a total civil rights policy has not been developed, nor have overall national civil rights goals and priorities been established to govern the component parts of the Federal civil rights effort. Agencies have operated independently with little recognition or understanding of what the Government's total civil rights program is or the role they should play in carrying it out. For the most part, they have been only dimly aware of their responsibilities in their own areas of concern. No substantial attempt yet has been made to coordinate the various civil rights laws and policies into a total, coordinated Federal civil rights effort. The Commission also has addressed itself to this problem and has made recommendations to facilitate development of national civil-rights goals and policies and to permit effective coordination of the entire civil rights program as well as its separate parts.

This report has dealt primarily with problems of structure and mechanism in the Government's efforts to enforce civil rights laws. The Commission recognizes, however, that achievement of civil rights goals and the full exercise of equal rights by minority group members will involve more than adjustments in civil rights enforcement machinery. It will require dedication and resolve on the part of Government officials and the American people, alike. The Commission's recommendations in this report are addressed only to ways in which the mechanisms of civil rights enforcement can be strengthened, not to ways in which national will and resolution can be inspired.

In the Government, this is the responsibility of each Cabinet secretary or agency head, who must take the steps necessary to assure that his subordinates honor and support the principle of equality. It also is the responsibility of public and private groups—groups that labored hard and successfully to get civil rights laws passed, that pushed for the issuance of needed executive orders, and that won the crucial court decisions that established the principle of equality as basic constitutional doctrine. They must now undertake the more difficult job of seeing to it that these laws are faithfully and vigorously carried out.

In the final analysis, achievement of civil rights goals depends on the quality of leadership exercised by the President in moving the Nation toward racial justice. The Commission is convinced that his example of courageous and moral leadership can inspire the necessary will and determination, not only of the Federal officials who serve under his direction, but of the American people as well.

I am including in the RECORD the release issued on October 12 by the U.S. Commission on Civil Rights regarding "Federal Civil Rights Enforcement Effort," which notes several of the specific suggestions made by the report: excerpts from the statement published in today's New York Times of Father Hesburgh, Chairman of the Commission, regarding the report; and an editorial from today's New York Times. These follow:

U.S. COMMISSION ON CIVIL RIGHTS RELEASE OF OCTOBER 12, 1970

Federal departments and agencies having civil rights responsibilities have failed to make maximum use of procedures and mechanisms available to them, thus raising the possibility that present civil rights laws will be nullified through ineffective enforcement, the United States Commission on Civil Rights declared today in a report, "The Federal Civil Rights Enforcement Effort".

Representing one of the most ambitious undertakings in the history of the Commission, the report is based on a study of some 40 departments and agencies. It was undertaken to determine how effectively the Government as a whole has geared itself to carry out civil rights responsibilities embodied in the various constitutional requirements, congressional legislation and Presidential Executive orders which govern its activities.

"The plain fact is that some of these [civil rights] laws are not working well" the Commission said, but it noted that the inadequacies did not originate with the present Administration, "nor was there any substantial period in the past when civil rights enforcement uniformly was at a high level of effectiveness."

"Rather, the inadequacies are systemic to the Federal bureaucracy and it is only through systemic changes that the great promise of civil rights laws will be realized."

The most serious flaw in the enforcement effort has been the lack of overall direction and coordination which has resulted in agencies operating independently with little recognition or understanding of what the Government's total civil rights program is or the role they should play in carrying it out, the Commission said.

To help correct this deficiency the Commission recommended that the President establish a special civil rights Subcommittee of the White House Council on Domestic Affairs and give it specific responsibilities in this area. These would include identification of civil rights problems, development of specific national goals and establishment of governmentwide priorities, policies and timetables for their achievement.

The Commission also recommended the establishment of a Division on Civil Rights within the newly created Office of Budget and Management which would work closely with the civil rights Subcommittee of the Domestic Affairs Council.

This new division would provide civil rights guidance and direction to budget examiners and other units. In addition, the Commission recommended that the various OMB units be directed to give high priority to civil rights considerations in their dealings with Federal departments and agencies.

Existing compliance and enforcement mechanisms would be evaluated by the OMB and where necessary, appropriate changes would be recommended to assure vigorous and uniform civil rights implementation.

Coordination between the operation of substantive programs and civil rights enforcement would also be evaluated by the OBM which would make recommendations, where necessary, for changes to improve coordination.

In addition, the Commission recommended that the chief civil rights officer of every federal department and agency be upgraded to the level of that of officials in charge of agency programs, that the departments and agencies be provided with the increased staffs and financial resources necessary to carry out their civil rights responsibilities with maximum effectiveness, and that civil rights compliance and enforcement efforts be increased to assure adequate attention to the problems of such groups as Spanish surnamed Americans, American Indians and women.

Additional recommendations to strengthen the Federal civil rights enforcement effort were made in the areas of employment, housing, the administration of Federal programs and the activities of Federal regulatory agencies (the Interstate Commerce Commission, the Civil Aeronautics Board, the Federal Power Commission, the Federal Communications Commission, the Federal Trade Commission, and the Securities and Exchange Commission.)

Differences in the degree of effectiveness of civil rights enforcement efforts were found among various departments and agencies, but the Commission said this did not indicate the implementation by these agencies of civil rights laws had been a total failure.

"Some agencies have enjoyed marked success in carrying out their civil rights responsibilities. In addition, agencies have been successful in carrying out certain aspects of their responsibilities and unsuccessful in carrying out others."

The study did, however, reveal a number of fundamental weaknesses in civil rights enforcement that are common to most agencies, regardless of the programs they administer or the civil rights laws they enforce.

Among these weaknesses are:

Inadequate staff and other resources to conduct civil rights enforcement activities with maximum effectiveness.

Lack of authority and subordinate status of agency civil rights officials.

Failure to define civil rights goals with sufficient specificity or breadth.

Failure to coordinate civil rights and substantive programs.

Undue emphasis on a passive role, such as reliance on receipt of complaints, in carrying out civil rights compliance and enforcement responsibilities.

Undue emphasis on voluntary compliance and failure to make sufficient use of available sanctions to enforce civil rights laws.

Failure to provide adequate coordination and direction to agencies having common civil rights responsibilities.

Failure to collect and utilize racial and ethnic data—in planning and evaluating progress toward goals.

Concentrating as it did on the mechanics of the Federal enforcement effort, the report did not attempt to measure the precise gains made by minority group members as a result of civil rights action by the Federal Government.

In its recommendations in specific subject areas the Commission suggested that in employment:

The Civil Service Commission should clarify its current policy, emphasizing specific goals in the Federal equal employment opportunity effort and develop a Government-wide plan designed to achieve equitable minority group representation at all wage and grade levels within each department and agency.

The Office of Federal Contract Compliance (charged with the responsibility of insuring nondiscrimination on the part of Government contractors) should extend its current program planning to develop a comprehensive equal employment opportunity plan on an industry-by-industry basis, aimed at securing equitable representation of minority group members in all industries and at all job levels.

Congress should amend Title VII (governing discrimination in private employment) of the Civil Rights Act of 1964 to authorize the Equal Employment Opportunity Commission to issue cease and desist orders to eliminate discriminatory practices through administrative action.

The President should issue a reorganization plan transferring the contract compliance responsibilities of OFCC and the litigation responsibilities of the Department of Justice to the Equal Employment Opportunity Commission so that all responsibilities for equal employment opportunity will be lodged in a single independent agency.

Among the recommendations in the housing area were:

Congress should amend Title VIII of the 1968 Civil Rights Act (dealing with equal housing opportunity) to authorize the Department of Housing and Urban Development to issue cease and desist orders to eliminate discriminatory housing practices through administrative action.

The Department of Housing and Urban Development should strengthen its efforts as the leader of the entire Federal fair housing effort to assure that all other departments and agencies that have programs and activities relating to housing and urban development administer them so as to facilitate achievement of fair housing goals.

The Veterans Administration and the Federal Housing Administration should require federally aided builders to advertise housing and develop marketing policies and practices aimed at attracting minority group as well as majority group purchases.

To implement Title VIII's prohibition against discrimination in mortgage financing, the Federal agencies which supervise and benefit mortgage lending institutions (savings and loan associations, commercial banks, and mutual savings banks) should require these institutions to maintain racial and ethnic data on loan applications—those rejected as well as those approved—and develop instructions and procedures for examiners to enable them to detect patterns of discriminatory practices by these institutions.

Such agencies should develop procedures for the imposition of sanctions against institutions in violation of Title VIII. These sanctions should include issuance of cease and desist orders and, in appropriate cases, termination of Federal insurance or charters.

Among the recommendations related to Federal programs were:

All agencies that administer programs subject to Title VI of the Civil Rights Act of 1964 (prohibiting discrimination in the administration of programs financed in whole or in part by Federal funds) should strengthen their compliance system by assuring that effective compliance activities are carried out. Their compliance activities should include, among other items, (a) systematic onsite review of recipients, (b) comprehensive guidelines for compliance reviews, and (c) pre-approval compliance reviews conducted by agencies that administer programs involving construction of facilities, such as public housing projects, recreational facilities, and highways, to assure that these facilities, through location and design, will serve minority group members on an equitable basis.

Agencies should place specific limits on time permitted for voluntary compliance and should make greater use of the sanction of fund termination.

Agencies that administer programs of insurance and guaranty should institute mechanisms to determine compliance with existing nondiscrimination requirements of lending institutions and other intermediaries between the Federal Government and borrowers.

Agencies which administer programs of direct Federal assistance should issue regulations and establish specific mechanisms to assure against racial and ethnic discrimination by Federal officials that operate these programs.

Among the regulations dealing with regulatory agencies were:

The Interstate Commerce Commission (ICC), the Civil Aeronautics Board (CAB), and the Federal Power Commission (FPC) should join the Federal Communications Commission (FCC) in issuing rules prohibiting employment discrimination by their licensees and in implementing such equal employment opportunity rules by the institution of appropriate mechanisms.

The FCC and the ICC should amend their procedures concerning issuances of licenses, which currently tend to protect the economic interests of existing licensees, in order to facilitate minority group entrance as entrepreneur and to permit them to compete for licenses on an equal basis with existing licensees.

To implement existing requirements of nondiscrimination in services and facilities by the industries they regulate, the FCC, the ICC, CAB and FPC should abandon reliance on complaint processing and establish affirmative compliance mechanisms.

The FTC should expand its efforts to protect the ghetto poor from unscrupulous businessmen and should work in close cooperation with local consumer groups, community action representatives, and other public and private groups concerned with alleviating the exploitation of the poor.

The Securities and Exchange Commission should amend its regulation prohibiting stockholders from raising questions involving "general, economic, political, racial, re-

ligious and social considerations" as a means of stimulating greater concern and activity by corporate enterprises in civil rights and related areas.

The U.S. Commission on Civil Rights is an independent, bipartisan, factfinding agency created by Congress in 1957. Rev. Theodore M. Hesburgh, C.S.C., President of the University of Notre Dame, is Chairman of the Commission.

[From the New York Times, Oct. 13, 1970]

A FAILURE OF GOVERNMENT

The report of the Commission on Civil Rights adds up to an appalling indictment of the Federal establishment, both its politically chosen leadership and its career bureaucracy. At best, enforcement of the major civil rights laws passed between 1957 and 1968 has been uneven and mediocre. At worst, it has been nonexistent.

The commission surveyed the Government in its multiple role as employer, buyer of goods and services, financial patron of state and local governments, and regulator of railroads, airlines, radio, television and other industries. Wherever it looked, it found the Government's performance unsatisfactory.

The Office of Federal Contract Compliance is "grossly understaffed" and patently reluctant to use its authority. It has never terminated a contract or debarred a contractor from further Government work because of racial discrimination. Between 1965 and 1970 it referred only eight cases to the Justice Department for litigation.

The Equal Employment Opportunity Commission relies passively on injured parties to file complaints. It rarely initiates an attack on job bias on its own. Even in processing complaints, the commission until recently took from sixteen months to two years to act.

If such passivity has been characteristic of two agencies specially charged with combating racial discrimination, it is not astonishing that most of the regular departments and commissions have done an even worse job. In only two departments—Justice and Housing—is the official concerned with civil rights at the level of an Assistant Secretary. In most departments he is a middle-level official with severely circumscribed authority. Veteran bureaucrats, knowing that vigorous enforcement of civil rights is often unpopular with committee chairmen in Congress and with powerful local politicians, try to shortcircuit enforcement for fear it will make their particular program "controversial."

As the Rev. Theodore M. Hesburgh, the Civil Rights Commission chairman, has emphasized, this widespread refusal to enforce the law is not a special failure of the Nixon Administration. These laws have never been well and systematically enforced, even under President Johnson, who in the Senate and in the White House sponsored most of them. Nevertheless, only President Nixon can now provide the vigorous leadership needed to correct the deep deficiencies which the commission has spotlighted.

If Negroes and other minorities are to achieve genuine equality in American life, Government must demonstrate that lawful processes do work and that the majestic promises of the nation's laws can become the reliable realities of everyday life.

[From the New York Times, Oct. 13, 1970]

EXCERPTS FROM HESBURGH'S STATEMENT ON RIGHTS ENFORCEMENT

(Following are excerpts from a statement by the Rev. Theodore M. Hesburgh, chairman of the United States Commission on Civil Rights, regarding the commission's release of a report on civil rights enforcement by the Federal Government:)

The report we are releasing this morning. "The Federal Civil Rights Enforcement Effort," is one of the most important documents the commission has issued in its 13-year history. What the commission has attempted to do in this report is identify with precision the current status of civil rights enforcement activities of virtually every federal department and agency having civil rights responsibilities.

This report, in a very real sense, is addressed not only to the President and Congress, but to the American people, who have the right to know whether the laws that govern us are working.

Our examination of various laws, executive orders, and judicial decisions has disclosed that there is indeed an impressive array of civil rights guarantees that provide protection against discrimination in virtually every aspect of life—in education, employment, housing, voting, administration of justice, access to places of public accommodation, and participation in the benefits of federally assisted programs. There is, however, a gap between what these guarantees have promised and what has actually been delivered.

We are a result oriented nation. We judge the effectiveness of institutions on the basis of the results they achieve. By this yardstick, progress in ending inequity by the application of law has been disappointing. In many areas in which civil rights laws afford pervasive legal protection—employment, housing, education—discrimination persists and the goal of equal opportunity is far from achievement.

MANY GAINS FOUND

The commission has examined the Federal civil rights enforcement effort and found it wanting. Each civil rights law that has been passed, each executive order that has been issued, and each court decision favorable to the cause of civil rights, has been viewed as another step along the road to full equality for all Americans.

But perhaps what has been lost sight of is that these legal mandates in and of themselves cannot bring about a truly open society, that they must be implemented—and it is at this point that we have found a major breakdown.

It is important to recognize that despite the shortcomings pointed out in this report, the civil rights laws have by no means been a total failure. In many areas—voting, education, hospital services, public accommodations—these laws have contributed substantially to ending discrimination. But despite the progress made possible by the various civil rights laws and policies, discrimination is still with us.

I want to stress two important points about the report. First, while the report necessarily discusses the programs and activities of particular departments and agencies, the purpose is not to single out any of them for blame—or, for that matter, for praise. The commission's concern in this report is with the system of Federal civil rights enforcement and our purpose is to identify the problems which are systemic and to seek systemic changes.

Second, while the report deals primarily with the current civil rights posture of the Federal Government, it should be understood that the inadequacies described have roots that lie deep in the past. These inadequacies did not originate in the current Administration, nor was there any substantial period in the past when civil rights enforcement was at a uniformly high level of effectiveness.

STAFFS SEEN INSUFFICIENT

The commission's study has revealed a number of weaknesses and inadequacies in civil rights enforcement that are common to most agencies, regardless of the programs they administer or the civil rights laws they enforce.

It is these inadequacies that are of principal concern. They cannot be corrected through actions of individual departments and agencies, but only through more basic, systemic changes involving the entire Federal bureaucracy. These are some of the major weaknesses the commission has found in the Federal civil rights enforcement effort.

First, the commission has found that no agency has been provided with sufficient staff and other resources to carry out its civil rights responsibilities with maximum effectiveness. In most departments and agencies, the chief civil rights officer is of relatively low rank and reports to someone other than the head of the agency. This necessarily impedes the efforts of civil rights officials to assure that civil rights needs and goals are accorded an appropriately high priority among agency activities.

There are other impediments, systemic to the Federal civil rights enforcement effort, which would prevent agencies from fully carrying out their civil rights responsibilities even if staff and status were at a sufficiently high level.

Most agencies have failed to state the goals of their civil rights program with sufficient specificity to enable them adequately to shape their civil rights policies and procedures. Other agencies, while they have stated civil rights goals, have stated them narrowly—often merely tracking the language of the civil rights laws which they administer.

Lacking civil rights goals of sufficient breadth and specificity, the inevitable result often is that agencies fail to establish systematic compliance priorities and strategies. They concentrate their efforts on processing individual complaints, rather than attacking institutional patterns of discrimination and inequity.

AGENCIES CALLED PASSIVE

In many agencies, civil rights and substantive programs are carried out in isolation from one another. Civil rights officials often are excluded from the decisionmaking process governing the operation of substantive programs and many of these programs tend to perpetuate racial and ethnic inequity. In some agencies, civil rights responsibility is assigned to program officials, many of whom lack civil rights training and are unsympathetic with civil rights goals.

One of the major weaknesses in the Federal civil rights enforcement effort has been the passive role that many agencies have adopted in carrying out their civil rights responsibilities. In some cases, agencies have been content to rely on assurances of nondiscrimination and make no effort to determine for themselves whether these assurances are in fact being honored. A number of agencies rely on the receipts of complaints as the principal or sole indicator of civil rights compliance.

Another major weakness has been the failure to make sufficient use of the sanctions available to enforce civil rights laws. In the contract compliance program, for example, the sanctions of contract termination and debarment never have been used.

Under Title VI, many of the agencies that administer programs subject to that law never have imposed the sanction of fund termination, the principal weapon available to enforce nondiscrimination requirements. Instead, agencies have placed undue emphasis on obtaining voluntary compliance, permitting delays and interminable negotiations.

Further, the Government has not instituted a sufficient number of lawsuits to make litigation a viable alternative to the imposition of administrative sanctions. As a result, the credibility of the Government's total civil rights effort has been seriously undermined.

PERMANENT UNIT URGED

There also has been a failure to provide over-all coordination and direction to the entire Federal civil rights enforcement effort. This, in the commission's view, has been the most serious flaw in the administration of the Federal civil rights program.

The commission believes that the President's recent reorganization of the White House and his executive office presents a unique opportunity for establishing the kind of systematic coordination and direction of Federal civil rights enforcement that is so badly needed.

Under the reorganization plan, the President has created a Council on Domestic Affairs, chaired by the President and including as members the Vice President and the heads of all Cabinet departments except the Departments of State, Defense, and the Post Office.

The Domestic Affairs Council has the potential of structuring and institutionalizing many important civil rights functions that previously were performed on an ad hoc basis by the President's personal staff. We believe it is important for the President to establish a permanent civil rights subcommittee of the council to assure systematic direction and coordination of civil rights goals, policies, and priorities. The commission has made this its first recommendation in considering ways of strengthening the Federal Government's total civil rights effort.

The President has also reorganized another of his principal staff arms—the Bureau of the Budget. The President has established the Office of Management and Budget to replace the old Bureau of the Budget and has directed that its duties will focus on such matters as program evaluation and coordination. Thus while the Council on Domestic Affairs is concerned with the concern of O.M.B. is with how these policies should be carried out and how well they are carried out.

The commission believes that the Office of Management and Budget can play a significant role in assuring that civil rights laws and policies are carried out with maximum effectiveness. The commission recommends establishment of a division of civil rights within the Office of Management and Budget to work closely with the civil rights subcommittee of the Council on Domestic Affairs and to provide civil rights guidance and direction to budget examiners and other office units within O.M.B.

The commission also recommends that the various office units of O.M.B. be directed to rights considerations in their dealings with Federal departments and agencies.

UP TO THE PRESIDENT

The commission realizes that achievement of civil rights goals and the full exercise of equal rights by minority group members will involve more than adjustments in civil rights machinery. Many of the weaknesses we have identified also deflect more deep-seated problems—problems of hostile bureaucracies that view civil rights as a threat to their prerogatives and programs, and problems of inadequate or misordered national priorities.

These problems can be resolved only through dedication and effort on the part of Government officials, private civil rights organizations, and the American people, alike. The commission concludes in its report:

In the final analysis, achievement of civil rights goals depends on the quality of leadership exercised by the President in moving the nation toward racial justice. The commission is convinced that his example of courageous moral leadership can inspire the necessary will and determination, not only of the Federal officials who serve under his direction, but of the American people as well.

We feel that the matters raised in this report have grave implications. As a nation firmly rooted in the rule of law, we are firmly committed to the principle that laws must be enforced.

Failure to implement those court decrees, executive orders, and legislation relating to civil rights, weaken the fabric of the nation. Those who look to the law as an impartial arbiter of right and wrong and find that some laws are implemented while others are not despair of the fairness of the system.

This cannot be allowed to happen. What we have proposed is nothing more than that use be made of existing laws to assure all Americans equal opportunity.

FEDERAL TRADE COMMISSION ENDORSES BIPARTISAN CONSUMER PROTECTION LEGISLATION

Mr. RYAN. Mr. Speaker, the Federal Trade Commission has recognized effective consumer protection legislation and has embraced it, if only in part. On Thursday, October 8, the Federal Trade Commission issued a proposed trade regulation rule which is in direct response to two bills which I have introduced, both within recent months. Rarely, I think, has legislation so quickly received the imprimatur of executive endorsement.

My two bills, embodied in proposed Rule 430.1—which is published in the October 8 issue of the Federal Register, volume 35, No. 196—are H.R. 18271 and H.R. 18793. H.R. 18271, which is a modified version of my bill H.R. 15060, was introduced by me on June 30; it attacks the "shrinking billing period" problem. H.R. 18793, the Fair Credit Billing Act, was introduced by me on August 4.

I think the proposed rule well conjures up that old saw, "imitation is the highest form of flattery." "Flattery" aside, however, I do not think the proposed rule sufficiently incorporates my bills. Thus, while I welcome the Federal Trade Commission's action, I believe legislative action on my bills is still necessary.

H.R. 18271 requires that billing statements must be mailed by creditors at least 21 days prior to the date by which payment must be made in order to avoid imposition of the finance charge. It is a direct remedy for the abuse perpetrated by creditors on innocent consumers who, if only given reasonable notice that their debt was due on their credit account, would pay promptly.

This abuse arises from the practice engaged in by creditors—whether by intention or inadvertence—of delaying sending out their billing statements. The penalty is suffered by the consumer—she or he receives the statement only a day or two before payment is due; there simply is no time to make the payment before the due date; and the result is imposition of a finance charge.

The Federal Trade Commission has agreed with my conclusion that governmental action is necessary to stop this practice. I should also like to note that 33 of my colleagues likewise agreed with this conclusion and joined in cosponsoring my bill when I introduced it as H.R. 18451 and H.R. 18452. These 33 Members are:

Mr. ASHLEY of Ohio.
Mr. BROWN of Michigan.
Mr. BROWN of California.
Mr. BURTON of California.
Mr. CONYERS of Michigan.
Mr. DADDARIO of Connecticut.
Mr. DELLENBACK of Oregon.
Mr. ESCH of Michigan.
Mr. FARBSTEIN of New York.
Mr. FEIGHAN of Ohio.
Mr. FISH of New York.
Mr. FRASER of Minnesota.
Mr. HALPERN of New York.
Mr. HARRINGTON of Massachusetts.
Mr. HAWKINS of California.
Mr. HOWARD of New Jersey.
Mr. HUNGATE of Missouri.
Mr. KOCH of New York.
Mr. LOWENSTEIN of New York.
Mr. LUKENS of Ohio.
Mr. MIKVA of Illinois.
Mrs. MINK of Hawaii.
Mr. MOORHEAD of Pennsylvania.
Mr. MORSE of Massachusetts.
Mr. MURPHY of New York.
Mr. OTTINGER of New York.
Mr. PODELL of New York.
Mr. ROSENTHAL of New York.
Mr. RUPPE of Michigan.
Mr. ST GERMAIN of Rhode Island.
Mr. TIERNAN of Rhode Island.
Mr. TUNNEY of California.
Mr. CHARLES WILSON of California.

The content of H.R. 18271 is embodied in subsection (b) of section 430.1 of the proposed rule, which I am including at the end of my statement. However, because the Federal Trade Commission lacks the necessary jurisdiction, this rule would not apply to commercial banks. Therefore, it is inadequate. In fact, it may have the signal effect of detering small volume creditors, while encouraging concentration of the credit industry in the commercial banking field. I would consider any such eventuality very much misplaced. Thus, while this first step is to be commended, I am convinced that it is too short and too tentative. Passage of H.R. 18271 is mandated—the Federal Trade Commission has admitted the problem requires governmental action; my bill insures that action will be effective.

My other bill, H.R. 18793, is also embodied in the proposed rule. While the Federal Trade Commission has made a wise first step here, again it has not adequately supported the provisions of H.R. 18793.

This bill, the Fair Credit Billing Act, was introduced in the other body by the senior Senator from Wisconsin, Senator PROXMIRE—who is always in the vanguard where consumers' rights are concerned. This bill not only embodies my earlier bill—H.R. 18271, the "shrinking billing period" bill—but also aims at insuring that consumers obtain prompt corrections on their credit accounts when they have been erroneously billed.

I am sure we have all encountered the situation in which we have received a billing statement which is wrongly computed, and then have engaged in repeated correspondence in what sometimes appears to be a Sisyphean effort to obtain a correct accounting. By proposing a structure of penalties, H.R. 18793 ends this situation.

H.R. 18793 requires that within 10 days after a creditor's receipt of a notice of error from a consumer, the creditor must acknowledge this receipt. Within 60 days of receipt of the notice, the creditor either has to make the correction and send a corrected statement to the consumer, or justify the original statement as to which the consumer is complaining.

The bite in this approach arises from the provisions which establish that if the creditor fails to send the 10-day acknowledgement, or the 60-day account adjustment or justification, it forfeits the right to collect the amount claimed to be in error. And if the consumer can then prove that an error had in fact taken place, he could collect actual damages, treble punitive damages, and reasonable attorneys' fees.

The penalties are stringent, but they are necessary. The exasperation of the wrongly billed consumer, faced with a barrage of dunning letters sent out by a computer bent on collection and not correction, is sufficient warrant for them. But even more severe is the bad credit rating with which this innocent consumer is unjustifiably labeled, merely because he refuses to pay an erroneous bill.

The Federal Trade Commission regulation at least recognizes the problem—perhaps tardily, but late is better than never. The issuance of this proposed rule is a response to the Fair Credit Billing Act, in which 11 of my colleagues joined me when I reintroduced H.R. 18793 as H.R. 18986 and H.R. 19218. These 11 Members are:

Mr. BURTON of California.
Mr. FARBSTEIN of New York.
Mr. HALPERN of New York.
Mr. HARRINGTON of Massachusetts.
Mr. HAWKINS of California.
Mr. LOWENSTEIN of New York.
Mr. MOORHEAD of Pennsylvania.
Mr. MORSE of Massachusetts.
Mr. ROSENTHAL of New York.
Mr. TIERNAN of Rhode Island.
Mr. TUNNEY of California.

This rule will not apply, however, to commercial banks—a deficiency which I have already noted in the context of H.R. 18271. Second, this rule does not give the consumer the same rights of initiating action as does H.R. 18793. At best, the Federal Trade Commission could issue a cease-and-desist order. H.R. 18793 enables the bedeviled consumer to go into court and obtain damages—a quicker, more direct approach far more likely to curtail creditors' abuses than the drawn out administrative process.

The Federal Trade Commission's proposed rule acknowledges the existence of the problems. My bills meet the problems and remedy them. Given the impetus of the proposed Federal Trade Commission rule, I think the time eminently appropriate for the passage of H.R. 18271 and H.R. 18793.

The proposed rule, as it appeared in the Federal Register, vol. 35, No. 196, on October 18, 1970, at pages 15842–15843, follows:

[Federal Trade Commission, 16 CFR Part 430]

BILLING PRACTICES ARISING OUT OF ADMINISTRATION OF CUSTOMER ACCOUNTS BY CREDIT CARD ISSUERS AND OTHER RETAIL ESTABLISHMENTS

(Notice of public hearing and opportunity to submit data, views, or arguments)

Notice is hereby given that the Federal Trade Commission, pursuant to the Federal Trade Commission Act, as amended, 15 U.S.C. 41 et seq., and the provisions of Part 1, Subpart B of the Commission's procedures and rules of practice, 16 CFR 1.11 et seq., has initiated a proceeding for the promulgation of a Trade Regulation Rule addressed to the subject of the certain billing practices followed in the administration of customer accounts by credit card issuers and other retail establishments.

Accordingly, the Commission therefore proposes the following Trade Regulation Rule:

§ 430.1 THE RULE

(a) In connection with the administration of customer accounts by credit card issuers and other retail establishments engaged in commerce as "commerce" is defined in the Federal Trade Commission Act, it constitutes an unfair method of competition and an unfair or deceptive act or practice:

(1) To fail upon receipt of notification in writing by the customer account holder to hold in abeyance further billing statements for the charge or charges questioned or disputed until an individual inquiry into the facts has been conducted and an explanatory response in clear and definite terms is furnished, which response may be sent simultaneously with a succeeding billing;

(2) To fail to credit customer accounts with all finance or other charegs accruing on disputed billing charges when such disputes are subsequently resolved in the customer's favor;

(3) To fail to specify the vendors and/or creditors, the amount, and dates of each extension of credit or the date such extension of credit is debited to the account during the billing cycle, and a brief identification, either on the statement or on an accompanying slip or by symbol of any goods or services purchased or other extension of credit;

(4) To convey to third parties, including credit bureaus, credit reporting agencies and retail establishments participating in a credit card operation, adverse credit information concerning a disputed amount allegedly owed by a customer account holder without first notifying the customer account holder of the parties to whom such information will be conveyed, together with a copy of the report to be conveyed.

(b) Further, in connection with the administration of customer accounts by credit card issuers and other retail establishments who issue billing statements on a monthly basis, in commerce as "commerce" is defined in the Federal Trade Commission Act, it constitutes an unfair method of competition and an unfair trade practice:

(1) To impose finance charges or late payment charges on accounts where the statement of account was mailed less than 21 calendar days before the date by which payment must be made in order to avoid the imposition of finance charges or late payment charges;

(2) To fail to post payments to a customer's account based on the date of actual receipt by the creditor or his agent;

(3) To hold money collected from a credit customer in instances where the customer has transmitted to the creditor funds in excess of the total balance due on an account unless the creditor has disclosed on the periodic statement that the customer has an opportunity to request that the excess money either be refunded to him or credited to his account;

(4) To fail to include on the billing statement the name, address, and telephone number of a person authorized to act as a contact between the customer and the retail establishment for the purpose of receiving requests by the customer to correct mistakes or make adjustments to the customer's billing statement.

All interested persons, including the consuming public, are hereby notified that they may file written data, views, or arguments concerning the proposed Rule with the Assistant Director, Division of Industry Guidance, Bureau of Consumer Protection, Federal Trade Commission, Pennsylvania Avenue and Sixth Street NW., Washington, D.C. 20580, not later than January 25, 1971. To the extent practicable, persons wishing to file written presentations in excess of two pages should submit 20 copies.

All interested persons are also given notice of opportunity to orally present data, views, or arguments with respect to the proposed Rule at a public hearing commencing each day at 10 a.m., e.s.t., January 25 and 26, 1971, in Room 532 of the Federal Trade Commission Building, Washington, D.C.

Any person desiring to orally present his views at the hearing should so inform the Assistant Director, Division of Industry Guidance, not later than January 18, 1971, and state the estimated time required for his oral presentation. Reasonable limitations upon the length of time allotted to any person may be imposed. In addition, all parties desiring to deliver a prepared statement at the hearing should file such statement with the Assistant Director, Division of Industry Guidance on or before January 18, 1971.

The data, views, or arguments presented with respect to the practices in question will be available for examination by interested parties at the office of the Assistant Secretary for Legal and Public Records, Federal Trade Commission, Washington, D.C., and will be considered by the Commission in the establishment of a Trade Regulation Rule.

All interested persons including retail department stores, marketers of gasoline, travel and entertainment credit card establishments, bank and other credit card issuers, book, magazine, and record club establishments, other retail establishments and the consuming public are urged to express their approval or disapproval of the proposed Rule, or to recommend revisions thereof, and to give a full statement of their views in connection therewith.

Issued: October 8, 1970.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 70–13304; Filed, Oct. 7, 1970; 8:45 a.m.]

TAXES AND THE OIL INDUSTRY

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

INTRODUCTION

Mr. KOCH. Mr. Speaker, last year I testified before the House Ways and Means Committee regarding some of the gross inequities which have accumulated in our tax system. The legislation which emerged from the debate on tax reform, I regret to say, leaves many abuses unaffected. I am speaking particularly with respect to the oil industry. The loopholes available to this, the darling of the protected industries, remain a national disgrace. Following the most concerted effort for genuine tax reform in recent years, oil continues to sap revenue from the public treasury on the strength, if it can be called that, of unsupportable or long forgotten historical arguments. This not only costs the U.S. Government money which it could otherwise put to good use, such as cleaning up some of the pollution caused by the oil industry, but also it perpetuates a blatantly unfair tax structure.

Let me elaborate on the way in which the tax structure works to the advantage of the oil oligopoly.

In general, taxpayers are not permitted to take a current deduction for the cap-

ital costs of business operations. Instead, capital costs are spread over the expected life of the capital assets involved and deducted from the business income earned by the taxpayer during such period.

Oil and gas well operators are treated differently in two respects: First, most capital costs—known in the industry as intangibles—can be deducted immediately rather than being deducted over the life of the asset; and, second, the annual deduction for depletion is measured by reference to the taxpayer's income rather than cost, and thus can exceed the actual cost of the assets used up, often by many times.

CURRENT DEDUCTION

The following costs of developing oil and gas productive capacity can be deducted for tax purposes as they are incurred:

First. Intangible drilling costs—other than the cost of drilling equipment which must be depreciated over the life of the asset—whether the hole is dry or producing.

Second. Lease rentals.

Third. Costs of general exploration studies not related to an area of interest.

Lease acquisition costs and exploration costs—for example, geological and geophysical studies—on nonproductive properties cannot be deducted currently, but can be charged off when the nonproductive property is abandoned.

DEPLETION ALLOWANCE

Lease acquisition costs and exploration costs on productive properties can be deducted as cost depletion unless percentage depletion is used. Cost depletion is computed by combining the capitalized cost of the productive property; that is, lease acquisition cost plus the specific property exploration costs less prior depletion—cost or percentage—and taking a portion of this year equivalent to the ratio of oil or gas extracted to the estimated recoverable reserve on the property. Percentage depletion is computed as the lesser of 22 percent of the gross value of oil or gas at the well or 50 percent of the net income from the property. The taxpayer is permitted to deduct each year the greater of cost depletion or percentage depletion. In general, percentage depletion will exceed cost depletion except on ε property that was purchased when it was already a successful producer.

The depletion allowance is unique in the tax law in that the taxpayer's deduction for a wasting asset is permitted to exceed his actual unrecovered capital cost. This arises because a large part of the actual capital cost is permitted to be deducted as incurred, and then depletion is allowed as a percentage of receipts without regard to the remaining unrecovered costs. In no other industry is the taxpayer granted so liberal a tax benefit.

REVENUE LOSS

It is estimated by the Treasury Department that if percentage depletion had been disallowed completly in 1968, the tax increase to the oil and gas industry would have been $1.5 billion—the rate of percentage depletion in 1968 was 27½ percent. If percentage depletion had never been allowed, the cost depletion in 1968 would have been higher, and the revenue gain might have been about $1.3 billion.

If exploration and development expenses were required to be capitalized, the revenue gain in 1968 would have been about $0.75 billion; but this would fall in the future to perhaps $0.3 billion as cost depletion deductions were taken.

In total, the special tax advantages of depletion and current expensing of intangibles resulted in loss of revenue to the Treasury of $2.25 billion in 1968, the last year for which estimates are available. If percentage depletion and expensing of exploration and discovery costs had never been permitted, cost depletion deductions would have been larger and the revenue loss at 1968 levels of activity would have been $1.6 billion.

OIL RESERVES AND THE NATIONAL SECURITY

The case for eliminating the depletion allowance and the current deduction for intangibles as a matter of tax equity is very clear. What then are the arguments in favor of retaining these tax advantages and what validity, if any, do these arguments have?

The principal and time-honored argument in favor of retaining the special tax provisions relating to oil and gas is that loss of such tax benefits would remove an important incentive for drilling exploratory holes and would thereby adversely affect exploration and decrease the amount of known oil and gas reserves in this country. In fact, this was the primary justification for the introduction of the depletion allowance into the tax law in 1927.

While estimates as to the amount of the reduction in the level of reserves have differed, there is general agreement that some reduction would occur. What then is the significance of a higher reserve in terms of the national interest?

The level of known reserves has potential value for defense purposes. This value, however, would appear limited since the capacity of presently existing wells considerably outstrips current production rates and refinery capacity. The national security argument also ignores the possibility that our energy policy could always be changed in the event of a potential national emergency so as to stimulate new exploration. Furthermore, there is a question as to whether more useful ways could be found to produce things of defense potential with a Government expenditure of $1.6 billion per year—the revenue loss for 1968 attributable to the special tax provisions. It would seem, for example, that this amount spent directly on reserves, transportation and refinery capacity keyed to defense needs might be more beneficial to defense capacity and national security. Further, the increasing importance of nuclear fuels, possible synthetic oil from coal or shale, and rocket fuels raises questions about oil needs in the future for defense. In fact, it would appear that the percentage depletion allowance for oil and gas, by encouraging petroleum development and thus indirectly handicapping efforts toward development of shale oil and liquefaction of coal, may be slowing the development of these enormous supplementary fuel sources which could also be used for our strategic needs.

Aside from the question of defense, it could be argued that higher reserves are needed to meet a potential shortage of supply for domestic consumption. Assuming for purposes of analysis that such a shortage is reasonably foreseeable, which it is not, it would appear that the excess demand could be met through a market adjustment—higher price and thus increased output—or by some consumers shifting to substitutes. In either case, Government management of the oil supply through preferential tax treatment would be unnecessary. Moreover, as noted directly above, such preferential tax treatment would appear to inhibit the development of substitute forms of energy which could be used in the event of a shortage.

CONCLUSION

In conclusion, the arguments supporting the present tax structure are not persuasive. Indeed, upon analysis our tax policy toward the oil industry simply does not serve any rational purpose. The supposed contribution of this policy to our national security is largely illusory, and the dangers of consumer price increases are either overstated or, in any event, are an acceptable and rational result of our economic system. The present Tax Code enables the large oil companies to pay taxes at rates below those of other industrial corporations as well as being below the rates at which many individuals are taxed. The perpetuation of the present tax structure is a tribute to the lobbying power of a strong vested interest; and it is a sad commentary on the adequacy of our legislative process.

TAX EQUITY FOR SINGLE PERSONS

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, presently I am a cosponsor of legislation which would make the Federal income tax rates imposed on single persons equal to the rates applicable to married persons filing joint returns. Although the Tax Reform Act of 1969 accomplished that objective in part, unfortunately it did not go far enough. I propose the further amendment of the Internal Revenue Code so that a single person will pay the same tax as a married couple with the same income.

The discrimination in tax rates against single people is the result of a historical quirk and has been increasingly recognized as untenable. It came about in the first place because of a legal technicality arising in the 1940's. Since some States had community property laws, one-half of the income of a person from one of those States was deemed to have been earned by that person's spouse. The effect of this legal fiction was to lower the tax burden on married taxpayers in community property States. Congress responded by lowering the tax rates for married people in all States, neglecting to take account of the economic punishment thereby inflicted on the unmarried.

The attempts to mitigate this harsh result through the special, but limited, head of household status and, much more important, through the provisions passed last year, are not totally adequate. While a start has been made toward proper tax rate equity for single taxpayers, we must press for further reform.

I propose that one of the first items of business in the next session be to amend the Internal Revenue Code to provide that single persons shall not be taxed at a rate greater than the rate paid by a married couple earning the same income. In order to take into account the fact that married couples have additional living expenditures not incurred by singles, I shall also urge continuing review of the personal exemption allowances and deductions for such items as child-care expenditures.

UNFAIR ATTACK ON MASS MEDIA

(Mr. KOCH asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. KOCH. Mr. Speaker, on September 22, 1970, on page 33239 of the CONGRESSIONAL RECORD, Extensions of Remarks, there was published an article by Gary Allen entitled "Teleslick—Television and the Mass Slicks," which appears in the October 1970 issue of American Opinion, Belmont, Mass.

This article charges the mass media with being un-American and in essence accuses them of a willful conspiracy to undermine our country's institutions and Government. It portrays the leaders of the broadcast industry, the editors and publishers of our major magazines, and even our journalists as being agents of treason.

It is tragic that an individual can have such a distorted and paranoid view of the efforts of so many distinguished Americans. And it is regrettable that such a piece should be reprinted and distributed at the Government's expense.

RALPH NADER AND THE CORVAIR: THE TRUTH EMERGES

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, on September 16, 1970, I introduced in the RECORD at page 32253 the existing public correspondence on the safety of the 1960–64 Corvair automobile. The principal part of this correspondence involved an exchange of letters between Mr. Ralph Nader, the General Motors Corp., the Department of Transportation, and Senator RIBICOFF. This controversy had arisen when Mr. Nader made serious charges that General Motors had undertaken a program of suppression of certain of their own test data in a "hot" file which was then kept from the U.S. Senate, the Department of Transportation, and parties who had requested such information in court cases involving litigation over the safety design of the Corvair.

Now, new evidence on this controversy has appeared in an exclusive interview in the Washington Post on Sunday, September 27, 1970. This evidence consists of a long interview by Mr. Morton Mintz of the Washington Post with a Mr. Carl Thelin, an ex-General Motors employee, who at the time of his employment by General Motors had responsibility for, and custody of, the engineering documents and results that Mr. Nader has alleged were suppressed. Mr. Thelin now confirms that General Motors did indeed have a "hot documents" file, which contained the information which General Motors felt was prejudicial to General Motors' claims of safe design of the Corvair, the contents of which were withheld from all parties, and which conflicts with General Motors' public statements.

I believe that this interview sheds new and important light on this controversy and should be made generally available, and I therefore offer it here for the further evaluation of all the concerned parties:

ENGINEER SAYS GM SUPPRESSED ADVERSE DATA ON CORVAIR

(By Morton Mintz)

A former General Motors engineer who played a key role in opposing lawsuits resulting from roll-over accidents involving 1960–63 Corvairs, says that GM suppressed its own adverse test reports to prevent them from surfacing in the courts.

GM, in a denial yesterday, said in Detroit that it "has identified or produced all documents which, in the opinion of its legal counsel, it was required to identify or produce."

The engineer, Carl F. Thelin, said that a superior once produced from "a back closet" a three-inch stack of previously secret proving ground documents—but with a directive to Thelin not to copy them and to withhold them from GM's legal defense files and potential witnesses.

"Thus a witness could say he never heard of it," he told The Washington Post in a four-hour interview.

Thelin described the documents as "dynamite." He said that one of them, No. 17103, proved that with suspension systems such as those on later models the early Corvairs it would have been "almost impossible to roll over."

These and similar statements tended to support recent charges by Ralph Nader that GM executives possessed but concealed proving ground test data and films, unfavorable to the Corvair. Nader charged that these "conclusively proved" the early Corvairs to be "dangeously unstable."

Yet, Thelin feels that the early Corvairs, driven sensibly, are safe, especially in the hands of a public that, he believes, is by now familiar with criticisms of their handling characteristics.

In addition, he rejects—on engineering, practical and financial grounds—Nader's contention that the government should recall for correction the estimated 600,000 1960–63 Corvairs still on the roads.

Three weeks ago, GM president Edward N. Cole said that the test data and films cited by Nader were of "engineering development tests in which Corvairs, specially equipped with experimental parts, were intentionally overturned by experienced test drivers using violent maneuvers designed to overturn them."

That is correct, Thelin said. "The cars were intentionally overturned. That was the whole point, to make them less prone to roll over."

As a result, he said, GM modified the 1963 Corvairs to stop roll-overs and corrected subsequent models so that they would "neither roll over nor 'spin out.' The '65 was an all-new Corvair."

But none of this, Thelin said, means that Nader made "irresponsible and false charges," as Cole asserted on Sept. 7 in a letter to Secretary of Transportation John A. Volpe.

RECOLLECTION HAZY

Thelin said that four years have elapsed since the documents episode. Moreover, it occurred during a long, confused period of transition from one boss to another.

For these reasons, Thelin said, he is not now certain whether the superior who produced the "dynamite" documents and ordered them suppressed was R. A. Gallant or C. D. Simmons

Gallant was staff engineer of the "Product Analysis Group" the cover name for the "Corvair defense groups" in GM's Chevrolet Division, Thelin said. Simmons succeeded Gallant.

Gallant, reached in Detroit, said, "I don't remember anything about it." Simmons could not be reached.

Thelin was among the GM employes who were "entitled to have access" to the papers "as and when required in the performance of their duties," the company said yesterday.

The papers had been "in the custody of his superiors and presumably were made available to Mr. Thelin and other employes by his superiors on that basis," GM said.

Thelin, in the interview, described in detail various methods used by the Corvair defense group to frustrate plaintiff's lawyers' interrogatories—the written questionnaires which the courts require be answered.

"We felt that some of these guys were planning to screw GM just because it had billions of dollars," he said.

The defense group never used as witnesses the "old fogies who designed this car," Thelin said. "We were told that some of these guys had to be kept off the stand because they would look like fools."

That's why GM recruited the defense group, in which he was one of about a dozen engineers, Thelin said.

"Our witnesses were very knowledgeable, very expert; more than that, they had good rapport with jurors. They would avoid engineering words; talk to the jury, not past them. They were anxious to testify and had good speaking voices."

STAR WITNESS

The "most effective witness" was Frank J. Winchell, Thelin said. "He could wow that jury."

Winchell, then director of Chevrolet's research and development engineering center in Warren, Mich., and now a special assistant to GM president Cole, had recruited Thelin in September, 1965, for the Corvair defense group.

Winchell has "personal magnetism," Thelin said. "He is a good engineer and a hell of a man. He's a leader. Whatever the word 'leader' means, he's that kind."

Thelin emphasized his belief that serious design problems in the Corvair were neither inherent nor unavoidable. They resulted, rather, from engineering incompetence at middle-management levels, he said.

Young engineers, he said, could look at the car and instantly spot a needless design fault.

Thelin had first told his story to Gary B. Sellers, legal consultant to Ralph Nader. Then he told it to Frank W. Allen, a GM lawyer and, finally, to a reporter. In each case his cooperation was requested, not volunteered.

"I've got to tell the truth," he told the reporter at his home near Buffalo, N.Y.

He recalled that GM lawyers, discussing how to behave on the witness stand, had advised him, "Never attempt to lie. Just tell the truth—what you know. Then you don't have to keep track of what you've said."

"I'll always live by that," Thelin told me. "It's a good way to live. If I'm asked a question I'll go straight down the middle."

Thelin began his travels "down the middle" of the Corvair controversy when Sellers, acting for Nader, came to see him the night of Sept. 3.

This was on the eve of Nader's public charge—made in a letter to Secretary of Transportation Volpe—that GM had for about eight years suppressed adverse proving ground reports and films on the early Corvairs.

Nader had first come to prominent public attention as a Corvair critic. This was almost five years ago, when his book, "Unsafe at Any Speed," was published. Then, early in 1966, came the famed "snooping" episode. Finally, in May, 1969, with sales way down, GM stopped making the car. With that, the controversy apparently faded away.

In recent months, however, secret sources have been supplying Nader and Sellers with new information and documents in which Thelin's name repeatedly cropped up, Sellers said.

Sellers undertook a search for corroboration. It was for this purpose that he went to see Thelin, who now heads the vehicle test and design section of the Cornell Aeronautical Laboratory, Inc., in Buffalo (of which GM is a client).

Five days later—after news media had carried stories on the Nader and Cole letters to Volpe—Sellers made a second visit to the Thelin home. This time, Thelin invited him to dinner.

The next day, Sept. 10, Frank Allen, the GM lawyer with whom Thelin had worked closely in the Corvair defense group, phoned. He began with a cheerful "Hi, Carl, old buddy," and then led up to the Nader and Cole letters.

In the conversation with Allen, Thelin volunteered that "Nader's people" had contacted him.

Thelin said he told Allen, in "a brief resume," that he had confirmed the authenticity of materials which Sellers had brought to him. These included copies of the "dynamite" documents.

Allen said, "Oh, boy."

He proposed to see Thelin in Buffalo. Thelin agreed.

The next day, at the same dining room table where Sellers had questioned Thelin, Allen interviewed the engineer for "a solid four hours without interruption."

"We remain friends," Thelin remarked.

Thelin, 40 is a graduate of the University of Wisconsin, a mechanical engineer, a "car buff," a Republican, an active Baptist layman and former head of the safety council of St. Clair Shores, Mich.

He came to GM in 1955 and became a front-wheel-drive, chassis and steering specialist on the engineering staff. His design innovations culminated in the experimental models of the Oldsmobile Toronado—"my claim to fame."

At the time, members of the American Trial Lawyers Association (ATLA) had filed the initial batch of what ultimately would become more than 300 lawsuits in behalf of persons injured or killed in Corvair roll-over accidents.

"We felt that ATLA was seeking to expand the product-liability business, and that they singled out the Corvair because of its uniqueness," Thelin said.

The Corvair was the first mass-produced American car with an engine in the rear—and an air-cooled engine at that. It entered the economy-car market in the fall of 1959.

And so Thelin went to work for Frank Winchell as if he were joining in a "French Foreign Legion" type of adventure, an enthusiast anxious to make a "sacrificial effort to defend the right of engineers to make design innovations."

In addition, Thelin felt he was aiding the cause of "fundamentalist" design engineers, who had been "low men on the totem pole," against the cause of the production engineers.

Thelin's assignment was engineering liaison with GM's legal staff, especially Frank Allen, but he had certain specific primary and secondary missions.

First of all, he had to "provide engineering support for the defense of any Corvair case," such as accident investigation.

RE-CREATING CRASHES

He traveled a lot to look at wrecked Corvairs and to try to figure out what had happened. Many times at the GM proving ground in Milford, Mich., he tried to duplicate the accident site. "It was fun, man, an exciting job," Thelin said.

After a time, he also became responsible for producing 16-millimeter wide-screen sound movies to be shown to trial juries.

Thelin would make such movies after a plaintiff in a pre-trial deposition had described in his own words how an accident had occurred—say, on a curve on a country road.

With the plaintiff's description as a shooting script, Thelin and his colleagues would duplicate the accident—sometimes even at the original site and with competitive economy cars of the same model year as the particular Corvair.

"Everything was entirely on the up-and-up," Thelin said.

"We would show that the Corvair went through this like all the other cars," Thelin said. "Then we would show, as a clincher, how recklessly you had to drive in order to have an accident, although our skilled test drivers could prevent one.

"Our defense was principally, almost always, that you had to drive in a very reckless manner in order to take the Corvair beyond the 'limit of control,' and that limit was higher for the Corvair than for competitive models of the same year," Thelin continued.

"The camera was in the back seat, viewing over the driver's shoulder, with a wide-screen lens giving close to normal vision," he said. "The movies would knock your eye out, they were so good."

EDUCATING LAWYERS

Thelin also had a couple of continuing "background" missions.

One was "to conduct seminars on vehicle dynamics for the benefit of lawyers, who had to be given a survey course in the subject so they could question witnesses intelligently." The defense lawyers were not only those on GM's staff, but also those from law firms the company retains in every state.

A second "Background" job was "to acquire, index and write critiques" of materials that might be construed to be critical of the Corvair.

Some of these materials were "internally originated," such as reports on proving ground tests and Corvair shop manuals and sets of specifications. Others were "public originated," such as the Nader book and articles in car buff magazines.

In any event, Thelin's job was to process all of these materials for the legal defense files, so that GM witnesses "could study and rebut" criticisms.

Some of the "internal" materials were "freely offered" to plaintiffs' lawyers, Thelin said.

But there was a feeling, which he shared, that "we owed them no favors, and we had to give them what the law required and no more."

In a Chicago case, the decision was to "pile on the answers, snow them, bury them under material," Thelin said. The defense group shipped out a wall-full of boxes of technical materials that the plaintiff's attorney "couldn't understand" and that would leave him "glassy-eyed in two hours," he added.

GM, in its statement yesterday, said that as an engineer, Thelin "had no legal training or experience qualifying him to construe discovery questions, subpoenas and other court documents."

DEVIL'S ADVOCATE

As Thelin continued to search for critical material, playing the role of a self-scribed "devil's advocate," he said, "I eventually got to the point where I was looking for some material I couldn't find."

He came to believe, for example, that there must exist proving ground test reports that he hadn't seen. He persisted in making inquiries about this.

"Somebody—Simmons or Gallant—finally said, 'Here they are,'" Thelin said. That was when the "dynamite" documents came out of the closet and when he was told that, above all, he must not show these papers to potential witnesses. After that, he himself was "kept out of cases where he might be called," he said.

Thelin said the documents, which oddly included some in the public domain, consisted of proving ground reports and films on Corvair "skid path" tests and other "runs" made as early as 1961.

These materials have "purposeful attention" to handling characteristics, particularly roll-over possibilities, with various types of equipment, he said.

Thelin said he put the documents in a binder or folder. "I'm not a counter-espionage guy," he remarked.

The binder or folder was "not identified in a provocative manner," he said. He kept it in an open bookcase in his office. A few others in GM, including his office assistant, knew of it, he said.

Thelin said that one document in particular was "damning." It was "never offered to any plaintiff's attorney," at least while he was at GM, he said. Yet, in his view, GM was obligated to produce it in response to certain interrogatories.

KEY DOCUMENT

This document was No. 17103, the one which, according to Thelin, established that the early Corvairs would have been "almost impossible to roll over" had they had different—and differently positioned—suspension equipment similar to that on 1963 and later models.

All internal GM references to the document "misidentified" it, Thelin said. Therefore, "I could say there was no 17103."

The "mis-identification" was caused by an extra zero, the origin of which is unknown to him, Thelin said.

The extra digit transformed "17103" into "170103." Ultimately, Thelin said, he discovered that it had been established at GM some time earlier—in writing—that "170103 is really 17103."

GM, in its statement yesterday, said it had not produced 17103 "because in the opinion of our counsel, it has not been called for." However, GM said it has turned over this and related materials to the Department of Transportation and a Senate subcommittee.

"That's when my stomach started to churn," Thelin said. "That's when I knew I was getting into deep water. Ignorance is a wonderful thing."

He said that the gung-ho feelings he had brought to his mission at Chevrolet now were sounding "a little bit hollow."

It began to seem to him that there was a possible pattern emerging from such elements as the "dynamite" documents, the exclusion of Corvair designers as GM witnesses and the odd addition of a digit to the 17103 paper.

Another important point increasingly troubled Thelin. He believed, as his own work for GM had shown, that the Corvair was not more prone to accidents than comparable cars of the same model year. Indeed, he said, a Corvair driver "had a better chance of avoiding single-car accidents, because of better brakes and handling."

What struck him, however, was more and more evidence that when there is an accident of a kind that generates "lateral acceleration, or side force" tending to overturn the vehicle, the consequences in an early Corvair are "more severe."

He put it another way: In an emergency situation in which a driver, say, seeks to avoid an accident, there may come a point at which certain maneuvers take a car out of control. Then it will no longer do what he wants it to do.

In such a situation, Thelin said, conventional cars tend to continue more or less straight ahead. The early Corvairs tended to "spin out to either side, but could also turn over," he said.

Thelin said that although he was "bothered" he continued to work.

In December, 1966, GM settled a large number of Corvair cases brought by a Los Angeles law firm. This Thelin said, "took the pressure off, or relaxed it."

At about that time, he continued, GM management "perceived an oncoming recession," with the result that it ordered a 10 per cent reduction in the workforce.

THELIN QUITS

Thelin was transferred to a body drafting job at Chevrolet, "a kind of work I intensely disliked." In addition, he no longer had the use of a company car and similar perquisites. After two months of "humiliation" he quit.

Thelin went to Uniroyal, the tire company, and stayed a year and a half. Then, in March, 1969, he grabbed a chance to move to Cornell Aeronautical, where he does automotive safety work.

Thelin was himself the owner of a Corvair, a 1962 model. He was then not yet aware of any controversy about its safety and considered it a "cute little car."

He read Nader's "Unsafe at Any Speed" early in 1966.

"My initial reaction was the straight party line," he said. "Here was a smart aleck out to make a lot of money criticizing our good little car. We thought he was paid by ALTA."

BOOST TO ENGINEERS

He feels differently today. "Ralph Nader, through his book and other activities, has enabled 'fundamentalist' engineers to have greater design responsibility for the finished car," he said.

And because Nader "helped to elevate, to free, the design engineer," Thelin said, the cars of recent vintage are much safer vehicles than those of only a few years ago.

When Nader released his letter to Volpe, a GM spokesman said, "We deny his charges and reiterate that the Corvairs are safe and effective cars to drive."

Later, GM president Cole, in his reply to the secretary, said, "I want to assure you that General Motors and its executives have been faithful to their public trust."

In March, 1966, after the "snooping" episode, the Senate Subcommittee on Executive Reorganization held a hearing. The Corvair and its safety was a central issue.

GM president (now chairman) James M. Roche, testifying under oath, put into the hearing record a highly favorable report on the Corvair which Chevrolet's Frank Winchell had previously given to a Michigan State Senate committee.

Now Nader, in his letter to Volpe, has attacked the Winchell report and has asked Sen. Abraham A. Ribicoff (D-Conn.), the subcommittee chairman, to re-open the hearing. An aide said Ribicoff has not reached a decision.

CENSUS APPRECIATION DINNER

(Mr. HECHLER of West Virginia asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HECHLER of West Virginia. Mr. Speaker, Saturday, October 10, was a red-letter day for the census enumerators and staff in Huntington, W. Va. On that evening, I had the honor to host an appreciation dinner for nearly 100 census workers in the Huntington area, led by their district manager, Mrs. Larry Booth.

When the preliminary results revealed a drop of more than 10,000 in Huntington's population between 1960 and 1970, there was understandable concern voiced by the news media, civic and municipal leaders and others who had been mesmerized by unofficial estimates which seemed to point to a larger city population than reported. Acting on the pleas of responsible leaders, I made arrangements to allow a volunteer block-count over a period of several weeks with the Regional Census Office in Charlotte, N.C., cooperating to identify all those who were not counted. A very careful check revealed only 90 additional people—or about one-tenth of 1 percent error in the preliminary count. This is cause for a celebration.

HONORING ALL FEDERAL EMPLOYEES

In addition to inviting all the census enumerators and staff to a steak dinner at my expense, I decided to use the occasion to honor all Federal employees. Present at the October 10 dinner were Col. Maurice Roush, District Engineer, U.S. Corps of Engineers; Bernard Killeen, Manager of the Huntington Social Security Office; Postmaster Roy Hatton; Maurice Howells, Regional Director of the Veterans' Administration; and Dr. Lucius Powell, Administrator of the Huntington Veterans' Administration Hospital. Through these officials, we honored the dedicated efforts of all Federal employees.

It was indeed refreshing, in this day and age when vitriolic attacks and colorful langauge grab the headlines, to point with pride to Huntington, W. Va., where Federal employees are commended instead of condemned.

Dr. Aldred Wallace of the Johnson Memorial United Methodist Church delivered the invocation and benediction, a grand time was had by all.

We were honored to receive the following telegram from Hon. Charles H. Wilson, chairman of the Subcommittee on Census and Statistics, House Committee on Post Office and Civil Service:

Please accept this telegram as a substitute for my presence as other matters prevent me from being with you today. Congratulations to the fine census workers who worked so efficiently and diligently in your city of Huntington. As a Member of Congress who has been deeply involved in the 1970 census, I can think of no better way to pay tribute to these fine Americans than to recognize their contribution to their country.

ADDRESS BY DIRECTOR OF THE CENSUS

The highlight of the evening was the appearance of the Director of the U.S. Bureau of the Census, Dr. George H. Brown. Dr. Brown left Washington on Friday and drove through southern West Virginia, passing through White Sulphur Springs, Lewisburg, Beckley, and motoring on the Charleston and Huntington on Saturday. After a stirring address to the assembled guests, the top census man in the Nation remained overnight, and then drove back to Washington via the northern route along the Ohio River Valley to Parkersburg and thence east across Route 50 to Washington, D.C. on Sunday.

Following is the text of Dr. Brown's remarks to the census enumerators and staff who were honored in Huntington, W. Va. on October 10:

ADDRESS TO CENSUS WORKERS BY DR. GEORGE HAY BROWN

Although things are still in high gear at the Bureau of the Census in Suitland, I am happy to come and be here to thank all of you personally for an outstanding job in conducting the 1970 census.

What you did here for the census certainly ranks with the best in any community of the Nation.

There were many, many others with splendid records, of course. I could not possibly go to every city to express my personal appreciation, so I have chosen to regard Huntington as representative of all those areas where citizens accepted a difficult, often thankless task and persevered until it was accomplished. I am certain you experienced at least a part of the frustrations which cropped up to some extent in all cities.

I know that your devotion was due more to a sense of duty than to hope of financial gain. We faced the job with an adequate budget—no budget could obtain the loyal effort we received from you.

We were responsible for the largest statistical survey ever undertaken in this country—perhaps in the world. And the result, I am confident, is the most accurate census ever taken in the United States since the first head count in 1790.

Our success owes much to an old-fashioned quality—love of country. It may be currently unpopular in some circles but the overwhelming majority of our people will still work hard and willingly for those things on which the Nation's well-being and advancement relies. And few will dispute the fact that an accurate census is of very great importance to our future.

Your dedication to accuracy here in Huntington was, in one respect, not a happy task. You had to report a decline of more than 10,000 in city population and a lesser drop in your Standard Metropolitan Statistical Area. And you did so knowing that the story would probably please no one.

Those who honestly doubted the accuracy of the preliminary figures and sought a thorough recheck were right to do so. The census results are too important in any area to accept them without knowing that every possibility of error has been explored.

Fortunately, the Census Bureau is never engaged in a contest with local estimates. Both the Bureau and our public officials want a count as nearly perfect as possible. This is the reason for our existence.

It is to the credit of the census process, including the part you played in it, that no more than 90 persons could be added to the rolls in spite of a vigorous campaign to locate missed persons. I am sure that your patient efforts and your proven high percentage of accuracy have earned the respect of your fellow townsmen. Although the recheck added only about one-tenth of one percent of Huntington's total, each person added is important.

I know there is sometimes a tendency to be concerned about any decline, however temporary, of a community or area. But America is forever in a state of transition. This is a part of the growth process.

In the case of Huntington, indeed of all West Virginia, the shift in fuel sources is, directly or indirectly, the greatest single factor in the decline.

The loss of the enormous railroad market to oil was a major factor, but there were

various other reasons for the slump in the coal market. You people undoubtedly know more about those other factors than I do.

The demand for coal, however, is again on the rise. The coal industry might be compared to a fighter who, knocked down, gets off the canvas again before the count of ten and comes back swinging. It seems unlikely that American technology and inventiveness will fail to find a need for the billions of tons still underground and to use this great resource with safety to both the miner and the environment.

All this is indicative of the constant change that is America. Fluctuations such as this have been recorded since the founding of the Republic. But there is no reason why the depressed areas of one decade cannot be the seat of growth in later decades. You have people here and in Washington with the far-sightedness and planning resources needed to study this problem.

The industrial aftermath of the Civil War saw Huntington rise from a cluster of riverside dwellings to a power in the manufacturing, business, and distribution. The slowing down period covers only a small fraction of the century during which the area developed steadily.

The present condition is by no means permanent. No one who knows this community and its people can doubt that there will be a resurgence, possibly during the next decade.

If I am still a part of the Bureau of the Census in 1980, I fully expect to return here to thank the census workers for another outstanding effort and to congratulate them on their devotion to accuracy and completeness.

LIST OF THOSE ATTENDING

In addition to those mentioned above, a nearly complete list of those attending the census appreciation dinner follows:

Mr. and Mrs. Larry Booth, Mr. and Mrs. Ralph W. Honaker, Mrs. Mildred Holliday (a permanent employee of the Bureau of the Census and Mrs. Booth's supervisor in West Virginia), Mrs. Barbara W. Wilson, Mr. Daniel McCallister, Mrs. Lee Stryker, Mrs. Nora Callebs, Miss Jo Ann Estep, James L. Morrison, Betty Kay McFarland, Vivian P. Martin, Laura B. Beard, John B. Spears, Mrs. Thelma Brown, Carolyn Bocook, Dorothy Y. Brangham, Edgar F. Price, Marion Sue Price, Mary Bond, Ruth Keener, Mary L. Rickard, Grace E. Adkins, Merlyn Diddle, Ruth Cumbea, Ina Mae Ayers, James Bennett, Margaret M. Godschalk, Betty S. Dunkle, Betty Crickard, Barbara J. Hayden, Elizabeth R. Bromley, Virginia I. Gregory, Mildred P. Holliday, Helen S. Lynch, Elizabeth Schultz, Ruth H. Horton, Marjorie Selvey, Nancy A. Keeling, Brenda Ervin, Peggy Ann Gibson, Michael D. York, Helen Allen, Florence Hinchman, Ester H. Seiber, Frances A. Conley, Betty Gullickson, Marie Roe, Jean L. Dickenson, Frances P. Ripley, Ruth P. Burton, Geneva Schramm, Michael Carrigan, Margaret Rice, Patricia Sale, Mary Lovejoy, Grace Lambert, Harry Brooks, Mae G. Reffeitt, Ethel Stiltner, George Bardall, Nancy Leaberry, Elizabeth Schultz, Carole Miller, Mary Keneipp, Dennis Poe, and Roger M. Lilly.

TO OVERRIDE THE VETO OF THE POLITICAL BROADCASTING BILL

Mr. MONAGAN. Mr. Speaker, the President's veto of the political broadcasting bill is difficult to comprehend except in terms of political expediency.

In recent campaigns media spending has reached exorbitant proportions. Each contest has established a new high in television and radio costs. The National Committee for an Effective Congress estimates that in 1970, an off-year election, congressional candidates are spending $100 million. Between $40 and $50 million of this sum will go toward television air time. Clearly American politics is rapidly becoming a forum restricted to the wealthy. Those candidates who can buy the most television are often the most effective in gaining an unreasoning support in the manner of breakfast cereals or toothpaste. "Packaged" candidates are fast becoming the norm of political campaigning.

In spite of these dangers, the President has vetoed a bill which would reasonably and fairly have limited political broadcast spending by candidates in general elections to 7 cents a vote or $20,000, whichever was greater. Under these provisions, media spending by the 1972 presidential candidates would be limited to $5.1 million each, a far cry from the publicly revealed figures of $12.7 million spent by the Nixon-Agnew campaign and the $6.1 million spent by the Humphrey-Muskie team in 1968. Wealthy congressional candidates would be denied the unfair advantage of a TV blitz. Those candidates qualified by experience and expertise, as well as wealth, would have an equal opportunity to present their case to the electorate.

The Senate passed the conference report to the political broadcasting bill by a 60 to 19 margin, the House passed it 247 to 112. Many Republicans, including the distinguished minority leader, saw fit to support this measure as a democratic reform. The bill reduces media spending, the prime source of high campaign costs. One can only conclude that the President vetoed a significant and necessary piece of reform legislation for a partisan political reason, the ability of the Republican Party to finance such campaigns now and in 1972.

The political broadcasting bill took one further significant step in that it suspended the equal time provisions of the Communications Act of 1934, thereby allowing broadcasters to present debates by major party nominees without giving equal time to all minor candidates. This would have permitted 1972 television debates similar to the Nixon-Kennedy debates in 1960. Unless Congress overrides this veto, such political forums, providing free equal time to all the major candidates will not occur.

Partisan interest must not prevent significant democratic reform. It cannot be denied that media campaign spending has gotten out of hand. One need only look at this year's primary elections to understand the effect of excessive TV spending. Campaign spending must be held at reasonable levels. The British certainly do this without sacrificing basic liberties or voter interest. The political broadcasting bill would accomplish this and create more equal time debates. For these reasons I will support passing the bill over the President's veto.

GUN LOBBY GROUP IS IRRESPONSIBLE

(Mr. ASHBROOK asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. ASHBROOK. Mr. Speaker, as one who has been an ardent advocate of the right of the individual citizen to peaceably bear arms and a consistent opponent of compulsory registration of firearms, I feel it is necessary to speak out against an irresponsible gun lobby group. Over the past 3 years, I have seen several advertisements of a group which calls itself Right to Bear Arms, Inc., and gives the address of Box 102, Allegan, Mich., 49010. Their irresponsibility was first brought to my attention in 1968 when they ran ads in some gun media attacking many of us for being against the gun owner.

On checking, I found they listed every Member of Congress in their advertisement and I sent the following letter to one of my friends and supporters who had called their ad to my attention:

OCTOBER 14, 1968.

DR. JON H. COOPERRIDER,
Loudonville, Ohio

DEAR JON: Thank you for writing and I have enclosed a copy of the letter I sent to Mr. Cooper. They must have made some mistake because they included all 535 Members of Congress. I have never voted for any of the gun legislation proposals which impinge on the rights of the responsible citizen. This group is totally irresponsible.

Look forward to seeing you soon and, again, thanks for writing and sending along the ad.

Best regards,

JOHN M. ASHBROOK,
Representative to Congress, 17th District.

The letter to which I referred was addressed to Mr. Frank Cooper who listed himself as president of this questionable group. The letter to him was as follows:

OCTOBER 14, 1968.

MR. FRANK COOPER,
President, Right to Bear Arms, Inc.,
Allegan, Mich.

DEAR MR. COOPER: I have recently been contacted by some of my gun collectors in the 17th Ohio District. They inform me that you ran an ad indicating that I was one of the "anti-gun people in Washington, D.C."

As one of the few who voted against all of the gun proposals that have come before the Congress to date, I am wondering what bills you referred to. I voted against the Conference Report on the gun bill which passed 160–129 on October 9 and I voted against this bill when it went to the Senate.

It would be most helpful if you would indicate to me what you are using for a basis of your remarks. I am enclosing several speeches on gun legislation.

Best regards,

JOHN M. ASHBROOK,
Representative to Congress, 17th District.

P.S.—After looking at your ad it appears to me that you have listed *every* Member of Congress—House and Senate. Either you people are some kind of nuts or totally irresponsible. I deem it my responsibility to inform all my gun collectors of your irresponsible action.

This letter was never answered. In fact, two other letters to this organization were never answered. I could only conclude that it was a fly-by-night outfit. I was particularly struck by their tactics in 1968. They did not specify any vote or issue which struck their ire but merely said, "These are the antigun people and we must defeat them." Unfortunately, many good people seeing the name of the outfit—in this case, "Right To Bear Arms, Inc."—do not look behind the familiar call to arms and mistakenly conclude that the legislators listed were indeed antigun people.

I will have to admit, Mr. Speaker, that I was amazed to find that this outfit is

still in business and still up to the same questionable tricks. Like the old bad penny that comes back, they are still irresponsibly attacking legislators. While I did not make their hate list this time, the tactics still must be challenged by those of us who feel we are responsible. Some of the strongest advocates of the private right to own and use arms are included in their latest purge list.

Again, as in 1968, they irresponsibly cater to the gun owner without placing any substantive information in their ad to indicate their criteria for opposing various Representatives and Senators. Their ad appeared in the September 1970 Shooting Industry magazine and carries this specious call to arms:

The name of the game is grab your guns and *right to bear arms* is going to stop it. The following is a list of United States Congressmen who are up for re-election this year and who have supported Federal Gun Control Legislation. . . . Vote against them!

Again, note the blanket nature of their charge. Many of us favor some type of gun-control legislation. I think it is proper to outlaw submachine guns and other military-type weapons which have no justifiable use by the man who is interested in having a gun for defense, hunting, sport, or any of the other good reasons for owning a firearm. I think it is proper, as do many of my colleagues, to prevent felons and mentally deranged people from securing firearms. There are justifiable limitations on any right we have up to and including freedom of speech. The right to bear arms is the same. To take the position that no form of control at all is proper is bad enough but to blanket a condemnation of legislators without specifying what this attack is based upon is even more irresponsible.

I think, Mr. Speaker, that the record of the Right To Bear Arms, Inc., speaks for itself. They are irresponsible and deserve no consideration from the rational, good people who are concerned about registration of firearms and improper limitation on possession and use of firearms.

I note that one of the very responsible organizations in the field, the National Rifle Association of which I am proud to be a life member, also has expressed its concern about this group. They have written them twice and to date have not received a reply. They probably will not if my experience is any indication of this group. The NRA letters are included at this point:

NATIONAL RIFLE ASSOCIATION OF AMERICA,
Washington, D.C., October 11, 1968.

Mr. FRANK COOPER,
President, The Right To Bear Arms, Inc., Allegan, Mich.

DEAR MR. COOPER: Our attention has been drawn to advertisements which your organization has placed in the Sacramento Bee, Shotgun News, and perhaps other publications, calling for the defeat, in the November elections, of those members of the Senate and U.S. House of Representatives who voted for the Omnibus Crime Control Bill (Safe Streets Act). This apparently, on the assumption that those members of the Congress who voted for the Crime Control Bill were all anti-gun in sentiment. This assumption could not be more wrong or unjust.

H.R. 5037, as its name implies, is an omnibus crime control bill. The section pertaining to interstate commerce in pistols was almost of minor significance compared to other provisions of the act. The sentiment in the Congress for enactment of the crime measure was so strong that a vote against it would have been comparable to a vote against motherhood and for sin. As witness to this fact, I point out to you simply that the vote to approve the crime bill in the Senate was 72 to 4 and in the House of Representatives, 377 to 23. Virtually every friend we have in the Senate and House of Representatives voted for the crime bill.

Many of our best friends and supporters voted for the crime bill, including its pistol provision in the honest and firm belief that in doing so they were taking the only possible step to head off the drive being made by the White House and the Department of Justice for the federal registration of all firearms and the licensing of all firearms owners. In the light of what has transpired, I think they very well might have been right.

In any event, to categorize these people as "anti-gun" is manifestly unfair and unjust.

A much fairer way of approaching this sort of political action would be to encourage the sportsmen of this country to determine where their candidates stand on the subject of restrictive firearms legislation and then vote accordingly, but not to prejudge 95 percent of the Congress on the basis of their vote on the Omnibus Crime Control Bill.

Sincerely,

FRANK C. DANIEL,
Secretary.

NATIONAL RIFLE ASSOCIATION OF AMERICA,
Washington, D.C., August 14, 1970.

Mr. CLIFFORD M. LARSON,
Executive Director,
Right To Bear Arms,
Allegan, Mich.

DEAR MR. LARSON: We are being asked by some of our members and readers about your full-page ad in the magazine "Guns" for September, 1970 urging the defeat of a long list of U.S. Senators and U.S. Representatives.

That this list is sadly out of date, and misleading in many respects is evident to anyone who has kept up with the legislative situation. The first name on it, for example, is that of Senator Paul Fannin of Arizona, an NRA Member who was recently out on the Black Canyon Range near Phoenix scoring pistol targets in 110-degree heat, as a short article in our September issue sets forth.

Among other names on your list, we note Senator Hruska of Nebraska and Representative McCulloch of Ohio, two gentlemen who have just sponsored Administration explosives control bills which would specifically exempt small arms ammunition and components and a quantity of black powder—this for the shooting sportsman.

There are other instances too numerous to mention. Your list reaches the point of absurdity when you urge the defeat of Congressman Melvin R. Laird of Wisconsin. As most people know, he has been Secretary of Defense for quite some time now.

As far back as October 11, 1968, one of our officers wrote Mr. Frank Cooper, your president, at 130 Cook Street, Allegan, calling attention to the extremely misleading effect of this same advertisement.

My purpose in writing you now is to say that we may find it necessary, for the benefit of NRA Members and legitimate firearms owners in general, to publish something in our magazine in the near future to clarify the situation. Therefore if you have any comment or response to this letter, we would be most interested in considering it.

Cordially,

ASHLEY HALSEY, JR.,
Editor, The American Rifleman.

There are many people in this country, Mr. Speaker, who look upon the so-called gun lobby as extremists and a bunch of dangerous nuts. I know this is not the case because I know many of the fine people in my district and throughout the Nation who make up this group. The hunter, the farmer and his son, the skeet and trap shooter, and the gun collector are, for the most part, good responsible Americans. I associate myself with these fine people and their views. I have done this for the entire 10 years I have been in Congress so it is no latecomer status for me. I was against these controls when the going was tough and have never altered my position.

I readily admit, and the Right To Bear Arms, Inc. proves, that, unfortunately, there are some irresponsible people who attach themselves to this otherwise fine and honorable group of Americans who do not want unnecessary and unwise gun restrictions. It is our duty to point them out and keep them outside of the ranks of those who diligently and constructively work for the legislative ends we want. In these remarks I accept my responsibility and hope to do just that. If this group will break their irresponsible silence, we might learn more of them. Two years is a long time to wait and my patience has grown thin.

SAFE WATER TRANSPORTATION OF HAZARDOUS MATERIALS

(Mr. BETTS asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous material.)

Mr. BETTS. Mr. Speaker, as a Congressman whose district borders one of the Great Lakes, I have a particularly keen interest in reducing water pollution. Contributing to pollution in a large navigable lake such as Lake Erie are the chemical and petroleum materials discharged accidentally or by direction of private water carriers. An oil spill on Lake Erie is a real threat, I believe. The quantity of chemicals transported across the lakes makes such material a hazard to water quality and marine life.

I am pleased that the principal Federal agency responsible for safety and property in and around navigable waters, the U.S. Coast Guard, is indeed concerned about this problem. What is more, they are doing something about it. Recently, an excellent address by W. C. McConnaughey, entitled "Safe Water Transportation of Hazardous Materials," came to my attention. This speech was presented at the American Chemical Society symposium on "Coping with Chemical Disasters," in New York City on September 8, 1969.

Mr. Speaker, for the study of my colleagues and others concerned about transportation of hazardous materials on our waterways, I include Mr. McConnaughey's remarks at this point:

SAFE WATER TRANSPORTATION OF HAZARDOUS MATERIALS*

(By W. E. McConnaughey)

Gentlemen, it's a pleasure to have this opportunity to discuss the Coast Guard's activities and thinking as they relate to the prevention of chemical disasters. As the Federal regulatory agency assigned the basic responsibility for safety of lives and property

on and around navigable waters, we have been concerned for some years now about the potential for disaster that exists in water transportation of chemicals. As a part of the Department of Transportation, we work in close cooperation with the other administrations on intermodal aspects through the Hazardous Materials Regulation Board. However, for bulk transportation by water we operate autonomously and, since this type of transport offers the greatest potential for disaster, I will confine my remarks to that area—although much of the thinking has general application.

Let me say at the outset, this paper will not present a pat solution to the problem of preventing chemical disasters in water transportation. This is much too complex and fast changing an area for that, so I will only attempt to describe conditions as we see them and to discuss some of the actions aimed at casualty prevention which we are taking as a result of this appraisal.

It's not worth noting that much of what we do is based on our strong belief in the preventive approach rather than the more traditional corrective approach and, as you will see, we expend a considerable effort in predicting hazards without waiting for them to become casualty statistics. Of course, we study the past for its lessons, too, but constantly changing cargoes and conditions as well as the potential magnitude of casualties involving modern bulk chemicals in water transportation make statistical studies only one of the tools to be applied. We can't afford even one more Texas City disaster, or *Sulphur Queen* disappearance, or chlorine barge sinking if advance thinking and analysis can prevent it. Admittedly, it's extremely difficult to anticipate all the casualties which might occur with widely varying chemical cargoes but much can be accomplished by developing principles and fundamentals which can be used to evaluate and compare the hazards of commodities as they are proposed for bulk shipment.

To practice the preventive approach to safety, it's obviously necessary to understand—or, at least, try to understand—what is going on now and what is likely to happen in the future.

I think all of us agree that the essence of our times is change. It is becoming increasingly difficult to keep abreast of new conditions and make valid predictions for the future on the basis of past experience but, in every line of modern endeavor, it's essential to at least identify the factors involved. In bulk dangerous cargo transportation, the area of primary importance at present is changing cargoes and changing methods of transporting them. Four major factors in this change are the chemical industry, advancing marine technology, population growth, and the decline in U.S. flag ocean shipping. I'd like to comment on each of them.

The chemical industry has several characteristics which are significant to water transportation. The first is its extremely rapid growth rate in recent years. In both the inorganic and organic category, production has essentially doubled in this period and the rate appears to be increasing. The so-called "explosive" growth of population is very moderate by contrast. So does the production of petroleum products which normally parallels general industrial production.

Without belaboring the point, I think this illustrates the well known fact that the chemical industry has been a booming segment of our economy in the recent past. How about the future? Can we expect this type of growth to continue? Of course, our foresight is much poorer than our hindsight but available information supports the idea that, so far as chemicals are concerned, "we ain't seen nothing yet."

Another characteristic of the chemical industry which is of interest to us is that it is strongly research oriented. Innovation is essential to economic success in this extremely competitive business and, as a result, a great deal of effort is devoted to developing new products and rapidly translating laboratory chemicals into tonnage commodities. Yet another characteristic is that the industry is water oriented and most chemical plants are located either on or near waterways. This is for several reasons but important among them is the desire for cheap water transportation. This water orientation is illustrated by the fact that, in 1965, chemical plants were the largest single class of plant construction occurring along waterways—approximately 29% of the total.

What can we conclude from this picture of the chemical industry so far as water transportation is concerned? I think it's reasonable to say we can expect a major increase in both the amount and the variety of chemicals moved in U.S. waters and that we are still in the early stages of this growth. Also, we can expect that chemicals will become an increasingly large percentage of all bulk dangerous cargo transported—although this is partly based on factors that I haven't mentioned such as the shift of petroleum products from water transportation to pipelines. The significance of this chemical growth to those of us concerned with safety is that we will have to deal increasingly with a variety of hazards in addition to the traditional fire and explosion of petroleum.

The second of the three major factors in changing bulk dangerous cargo transportation is advancing marine technology. This is a difficult subject to document and even harder to predict. However, I think we can make some useful observations of what is going on around us. Until fairly recently, design and construction of bulk dangerous cargo vessels was quite simple. Barges were merely boxes made of common welded steel and ships were quite uniform in arrangement and structural materials. Safety questions were relatively simple and there was much experience to draw on in answering them. Now, however, many new materials and techniques are appearing and safety questions frequently must be answered without the benefit of marine experience—and, indeed, frequently without much experience anywhere. Let's take a quick look at some examples of current barge and ship questions to illustrate this situation.

1. Low temperature tank metals and new types of insulation are being used to transport refrigerated anhydrous ammonia and liquid oxygen by barge and these practices are raising new questions about brittle fracture of tank and hull materials, the performance and reliability of insulation in the marine environment, cargo venting, etc.

2. Unmanned, relatively complex equipment is being used to maintain low cargo temperatures on barges and this has raised new questions about proper sizing and reliability of machinery for safety purposes.

Very large pressurized cargo tanks (in one case, 15 feet in diameter by 332 feet in length) have raised new questions regarding methods of stress analysis and relief valve sizing.

New structural metals are being used (such as in all-aluminum-alloy barges) and these are raising difficult new questions about fire resistance, compatibility with chemicals, etc.

Nor are new questions confined to barges. Ships carrying liquid ethylene at −155° F in 1 millimeter thick stainless steel tanks are raising difficult new questions about metal fatigue, quality control, tank integrity, inspection procedures, etc.

This is by no means an analysis of advancing marine technology but I think it is sufficient to make it obvious that we are no longer dealing with standardized barges and ships with standardized answers to safety questions.

The third major factor affecting bulk dangerous cargo transportation is the growth of population. Although this was minimized in the earlier curves, it really is an important phenomenon. More people mean several things to water transportation. It means more congestion on waterways and in ports and, hence, more chances for accident. It means greater public exposure to dangerous materials and greater likelihood of serious consequences from any given casualty. And, finally, it means the appearance of new types of concern such as air and water pollution. Let me cite some illustrative situations. Complex traffic patterns such as a simultaneous meeting, passing and overtaking involving four tows along the Gulf Intracoastal Waterway are becoming commonplace and, of course, they inevitably increase collision probabilities. Barge and ship encounters in port areas such as New Orleans are increasingly common and they involve considerable public exposure. Another type of hazard which can result from the heavy use of waterways is illustrated by an incident near Chicago when 50 barges broke loose from their shore lines in heavy wind and ended up in a jackstraw situation. Fortunately only one chemical barge was involved (and it was empty) but the consequences might have been different if the pile-up had consisted of chemical barges commonly seen on the waterways.

With regard to new types of concern, it is interesting to note that there are 40 stations along the Ohio River between Paducah and Pittsburgh which monitor the chemical and biological quality of the water and evaluate the results in terms of drinking water standards and the well-being of aquatic life. This goes well beyond the historic marine industry concern with oil pollution alone. And there is similar concern with air pollutants which may come from marine activities such as cargo venting, gas-freeing, etc.

The final factor affecting bulk dangerous cargo transportation is primarily in the areas of economics and national defense. However, it has important safety aspects as well. This is the accelerating decline in the U. S. flag ocean-going fleet. For a period of about 13 years, waterborne trade on the high seas has approximately tripled for both the U. S. and the world at large. However, in the same period, both the number of U. S. flag ships and their total tonnage has decreased—in sharp contrast with the rest of the world. Obviously, more and more cargo—including the dangerous variety—is being carried by ships which are not certificated by the Coast Guard and which are manned by personnel who probably do not have U. S. mariners' papers. We are not officially concerned with the economics of this situation, although I'm sure we all individually deplore anything that adversely affects our merchant marine. However, we are concerned with the growing number of ships carrying exotic cargoes which visit U. S. ports and present some very challenging safety questions to the Coast Guard. The problem arises from the fact that there are no international standards for shipping bulk commodities having properties and potential hazards markedly differing from conventional liquid petroleum products. I think this is simply a case of changes occurring too rapidly for international conventions (i.e., SOLAS) and classification societies to keep up, and certainly we can sympathize with that problem. However, in the context of change, we are facing new problems in carrying out our regulatory duties for protecting U. S. lives and property in U. S. ports and waters because of our less direct relationship with foreign flag ships.

What do we conclude from this picture of modern bulk dangerous cargo transportation? First, it seems evident that we are in the early stages of a period of rapid change in types of cargo carried and methods of carrying them, with chemicals becoming an increasing part of total dangerous cargoes carried by water. Second, safety is becoming much more complex and we cannot relax and assume that our past practices are nec-

essarily adequate for the future. Finally, the growth in both inland and ocean-going traffic in chemicals and the increase in foreign flag ship operation in our waters will require increasing emphasis on port safety activity by the Coast Guard.

This, then, is what we see and what we conclude. What do we believe should be done about it? First, we need good techniques for evaluating and understanding the hazards of highly diversified chemicals in water transportation. Second, on the basis of this knowledge, we need to develop effective regulations which provide minimum standards of safety for the design and operation of ships and barges carrying bulk chemicals. And, third, we need to provide for the training and education of industry operating personnel and our own Coast Guard marine inspection and law enforcement personnel. Let me discuss our current activities in each of these areas.

Under the general heading of "hazard evaluation," we have a number of projects that interrelate. Several of these are being carried out for us by our Advisory Committees on Hazardous Materials and Toxicology under the National Academy of Sciences. The most fundamental endeavor has been for these groups to develop a system which provides a hazard profile of individual cargoes and establishes a technique for appraising new materials on a consistent and comprehensive basis. This system is described in a report to us entitled "Evaluation of the Hazard of Bulk Water Transportation of Industrial Chemicals". The inherent hazards of commodities are evaluated without regard to their method of containment or handling. In fact, the purpose is to provide a rational basis for establishing containment and handling requirements. Four major types of hazard are considered—fire, health, water pollution, and reactivity—with a total of ten subtypes. Ratings are on a scale of 0 to 4, with 4 being the most severe. Each number is defined in the report for each subtype of hazard. The system has proven very helpful to the Coast Guard in the development of new regulations that I will mention later and it has received world wide attention as a pioneering effort on a complex problem. A total of 209 commodities have been rated to date.

One of the hazard elements is entitled reactivity with other chemicals. Ratings here indicate the general reactivity of the chemical with other chemicals. While this provides valuable initial information, it is frequently necessary to evaluate the hazard of accidentally mixing specific pairs. This type of hazard is especially important in water transportation where 30–40 large tanks are common on one tanker. We recently started using a compatibility chart to guide decisions on safe loading arrangements for ships and barges. This, again, is a pioneering effort to deal with a complex subject and we fully expect the chart to change as we develop a better understanding of chemical behaviour in water transportation and a better definition of hazardous reactivity. However, it represents the best information available to us and it is based, in part, on the work of our NAS Committee on Hazardous Materials. Cargoes are assigned to one of the 24 numerical groups and X's are used to indicate potentially unsafe combinations of groups. The chart and groupings are based on professional judgment, experience, and readily accessible literature but a standard procedure is needed for cases where knowledge is lacking. Since neither the Coast Guard nor our advisory committee has the manpower resources for a concerted effort required to develop such a procedure, an outside contract has just been awarded to carry out this work. The result is expected to be a combination of theoretical and experimental techniques which will provide an orderly guide to determining compatibility of unknown combinations—perhaps conceptually similar to a qualitative chemical analysis "tree."

One question in the area of hazard evaluation that has been especially difficult for the Coast Guard has been "should there be an upper limit on the quantity of dangerous cargo permitted on a ship or barge and, if so, on what basis should the limit be set?" For example, chlorine is carried in 1100–1200 ton quantities on barges. Should we approve ships carrying 20,000 tons? In other words, how much is too much and why? Again we have turned to our NAS Hazardous Materials Committee for the basic study. The problem quickly falls into two parts. First, how does one determine the consequences of massive releases of various quantities of widely varying cargoes (i.e., their disaster potential) and, second, where should we draw the line? The first part is a relatively straightforward—although complex—task. The second part is so philosophical and sociological in nature that we may never get a clean answer to our original questions. However, the size question is real and must be faced rationally, emotionally, or irrationally so we feel study is warranted regardless of associated frustrations. Work on disaster potential aspects is expected to provide some useful techniques for various applications. For example, standardized models for downwind and downstream hazard estimation are being developed for volatile, toxic or flammable materials and soluble, toxic materials respectively. Blast radii and flammable liquid spread for chemicals are also being studied for possible standardization of estimation techniques. One of the problems with toxic materials is in establishing limits for public exposure—short term, once in a lifetime, nonoccupational exposure for the general public. As you probably know, short term occupational limits are quite scarce (TLV's are not applicable) and public limits are nonexistent. However, through the NAS Committee on Toxicology we are hoping to get values which can be used for *estimation* purposes (not as regulatory standards). Our goal is to computerize the anticipated disaster potential estimation techniques along with physical, chemical, and toxicological property data for cargoes in water transportation so that rapid estimations can be made for marine casualties where the cargo name and amount and environmental conditions are known.

Another aspect of hazard evaluation that we are investigating is the behaviour of liquefied natural gas (LNG) and chlorine in massive spills into water. Both of these commodities are becoming major items of water commerce but amazingly little is known about their behaviour in the event of a large release into water. Would 1000 tons of LNG at −258° F immediately flash due to the immense heat reservoir of a waterway or would it encapsulate in ice and boil off relatively slowly? How would the small but significant solubility of chlorine affect its vapor evolution into air, starting at its boiling point of −28° F? This work is being done for us on a theoretical and experimental basis by the Bureau of Mines and the results are expected to provide a much better understanding of the hazards of low temperature liquefied gases in general. LNG and chlorine provide an interesting contrast in properties which provides a good basis for generalization. LNG is insoluble, light, has an extremely low boiling point, and is flammable and non-toxic. Chlorine is partially soluble, heavy, has only a moderately low boiling point, and is non-flammable but toxic.

In addition to these primary efforts, we are involved in several other areas that fit under the general heading of hazard evaluation. One facet that must occasionally be considered is thermal compatibility. Heat transfer calculations become extremely complex when hot cargoes (e.g., naphthalene at 200° F) are carried on the same ship with ambient temperature liquids (e.g., methanol, styrene monomer). The thermal coupling with adjacent tanks, the hull, and seawater and the physical and thermodynamic properties of the cargoes are among the variables to be considered. For this problem, the Coast Guard has been collaborating with the Keystone Shipping Company in a study being made by A. D. Little which, it is hoped, will provide standardized estimation techniques to avoid excessive heating of volatile and unstable cargoes. We are also actively participating in the work of ASTM Committee E–27 on Hazard Potential of Chemicals which is attempting to develop standardized techniques for hazards other than health and reactivity between cargoes.

This indicates the nature of our efforts to understand the hazards of chemicals in bulk transportation. The second of the needs mentioned earlier is for effective regulations and controls based on such information. The primary work here is the development of major new regulations for bulk cargoes having significant hazards other than or in addition to the conventional flammability and exposibility of petroleum products. These are being developed in close cooperation with industry through our Chemical Transportation Advisory Panel using the hazard evaluation techniques mentioned above—primarily those of our Academy of Sciences advisory committees. The product will be a new subchapter ("Subchapter O") covering bulk liquids, solids, and liquefied gases carried in ships, barges, and portable tanks. This is a major undertaking with work being broken into phases. The first phase was presented at our March public hearing and the regulations become effective next January. They cover liquids and liquefied gases carried in unmanned barges—an area of considerable importance to the Coast Guard and industry. A number of new concepts are being used. First, there is no reference to cargo classification. Instead, barges are broken down into cargo containment elements and requirements are specified for each cargo on the basis of its properties and hazards. For example, under Cargo Segregation/Tank we establish three types of concern: segregation from the surrounding water (on the basis of water pollution potential), from other cargoes (on the basis of reactivity), and from machinery spaces and other sources of ignition (on the basis of flammability). Under Tank/Gaging Device, we control the degree of cargo vapor containment from complete (i.e., "closed gaging") to none (i.e., "open gaging") on the basis of health hazard to operating personnel. Decisions on requirements for these elements of cargo containment are guided (but not rigidly controlled) by the NAS Hazard Evaluation Guide in the interest of consistency and adequacy.

Subchapter O work is continuing through two new industry-Coast Guard task groups developing regulations following the same concepts for liquids and liquefied gases for ships and transportable tanks. Subchapter O is important, not only because of its major effect on U. S. regulations, but because it is providing guidance for the development of international standards by the Intergovernmental Maritime Consultative Organization (IMCO). Coast Guard personnel represent the United States in IMCO and it is pleasing to have our concepts and approaches accepted, at least at the working level, by personnel from major foreign maritime nations. Subchapter O and hazard evaluation is also guiding the Coast Guard's administration of a foreign vessel inspection program which was established to protect U. S. lives and property from foreign ships coming to U. S. ports and presenting unusual risks by reason of the cargoes carried or unconventional methods of carrying them. This is an interim program which is expected to phase out after international standards for chemical carriers have been developed and adopted. However, at present, it is an important and complex problem area.

The third Coast Guard need that was mentioned earlier is providing for information and training for industry and our own field personnel directly concerned with safe water

transportation of dangerous cargoes. So far as industry personnel are concerned, our approach is to develop rules and standards that must be met by persons in charge of cargo transfer and dangerous cargo vessel movements. For example, in the previously mentioned Subchapter O, cargo transfer personnel must provide documentation that they are specially qualified in handling any cargo regulated there. In addition, a cargo information card must be "on scene" and read and understood for cargo transfer and barge movement and tie-up. It is planned to establish Coast Guard examinations to further assure the adequacy of key personnel's knowledge and experience for the newer type of bulk cargoes.

Because of the lack of convenient and readily available information on chemical type bulk cargoes, the Coast Guard has prepared and published a book entitled "Chemical Data Guide for Bulk Shipment by Water". Although this was intended to assist our own Rescue Coordination Center Watch Officers, Port Safety personnel, and Merchant Marine Safety personnel, it has proven to be a world-wide best seller among people and organizations who must make decisions in situations involving bulk chemical shipments. This book provides a compilation of basic physical, chemical, and toxicological data and emergency information. A revised edition covering 191 commodities has been prepared and will be available in the fall.

This is by no means an exhaustive description of the Coast Guard's activities in regulating bulk dangerous cargo transportation. However, I think it is sufficient to indicate our thinking—and, hopefully, to solicit your interest in our problems. The American Chemical Society is a reservoir of technical and safety knowledge which we would like to utilize as fully as possible.

AMERICAN CHEMICAL SOCIETY,
August 6, 1969.

Mr. W. E. MCCONNAUGHEY,
Technical Advisor,
U.S. Coast Guard, Washington, D.C.

DEAR MR. MCCONNAUGHEY: We were happy to learn from Dr. Frederick Bellinger, Chairman of the ACS Board Committee on Civil Defense and Disaster, that you will participate in the special symposium on "Coping with Chemical Disaster," to be held at the ACS New York Meeting in September. We have further learned, from the hotel, that the one preceding it on uniform identification of hazardous materials has been changed. According to latest information we will meet in the *Oriental Room,* Park-Sheraton Hotel, New York, Monday, September 8, 1969 from two to five p.m.

The schedule of speakers, at thirty minutes, is:

The New Look of OEP, Gen. Lincoln, Director.

Role of OCD in Local Disasters, Gov. J. E. Davis, Director.

Safe Land Transportation of Hazardous Materials, Mr. W. C. Jennings, Director, Office of Haz. Mtls., D.O.T.

Safe Water Transportation of Hazardous Materials, Mr. W. E. McConnaughey, Tech. Adviser, U.S. Coast Guard.

A Local Section in Action, Mr. C. E. Matthews.

Open: Questions and Answers.

If you will require any special equipment, such as a projector, for your presentation, please send your requests to me right away. Because of the size and complexity of ACS meetings, arrangements for such equipment require advance planning.

We are hoping that it will be possible for the speakers in the Civil Defense and Disaster symposium to get together for lunch on Monday, just before the symposium. Please let me know if you will be free to join us; details will be sent to you later.

As soon as I have your admission badge, I'll send it to you. I look forward to meeting you and hearing your views on this important subject.

Sincerely,

ROBERT K. NEUMAN,
Staff Liaison Committee
on Civil Defense.

CONGRESS HAS BECOME INCREASINGLY CONCERNED WITH THE PROBLEM OF CONTROLLING POLLUTION

(Mr. STUCKEY asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. STUCKEY. Mr. Speaker, Congress has become increasingly concerned with the problem of controlling pollution. Contamination of our environment not only as to the air we breathe, the water we drink and the disposal of garbage and trash in our cities, but also animal waste in our agricultural and animal husbandry communities, industrial wastes in our great manufacturing complexes and other waste materials have created a very serious national problem.

Since 1965 Congress has passed a number of laws involving the creation of commissions to study pollution abatement. However, the cost of installing adequate pollution control systems, devices and equipment in various industrial and commercial plants and in certain States and municipal activities such as the generation of power and the disposal of refuse are beyond the economic capacity of either the private sector or of subordinate government bodies and agencies.

Shareholders and individual owners of businesses must use their capital to produce goods and services which can be sold profitably in the marketplace. Pollution control and abatement, while vital to the welfare of our Nation, is nonproductive and extremely costly. Therefore, despite stringent Federal and State laws, it appears to me the iron laws of economics and of the profit-and-loss system are such that we will not make the rapid progress necessary without making some kind of Federal loan insurance program to encourage private enterprise to develop and assist the private sector in overcoming pollution.

To this end I am introducing today the Emergency Pollution Control Act of 1970, which would provide a $10 billion evolving fund to finance a Federal loan insurance program for owners and lessees of industrial and commercial enterprises, including State and municipal governmental agencies, finance the cost of pollution control and abatement systems devices.

I have patterned this legislation largely on the highly successful mortgage insurance programs which Congress provided under the National Housing Act in the 1940's.

The housing loan insurance program of Federal insurance on long-term mortgages to provide costly apartment houses has been a spectacular success. It is self-liquidating. Every penny originally advanced by the Federal Government has been repaid and the loss ratio experience has been about one-fourth of 1 percent. The cost of the loan insurance in that program has been borne by the users and beneficiaries of the housing, that is, by the owners who were able to build housing with long-term loans provided by lending institutions under the umbrella of Federal loan insurance.

Federal loan insurance is a financing device which has proven to be highly successful at no expense to the taxpayers. It is for this reason that I have based the Emergency Pollution Act of 1970 on the same principle of Federal insurance on long-term loans by private lending institutions to owners or lessees of industrial or governmental facilities which are causing air, water or solid waste pollution, so that they can employ engineers and finance the cost of effective pollution control and use the pollution control system they purchase with the loan as security for the loans. I hope this bill can become the vehicle for active discussion and suggestions of other approaches whereby we can use the incentives of private enterprise and the lending institutions of the private sector to finance on a long-term basis effective pollution control and abatement without any ultimate cost to the taxpayer.

ADDRESS OF THE HONORABLE ROBERT T. STEVENS

(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, the Honorable Robert T. Stevens, who served with great distinction as Secretary of the Army under President Eisenhower, recently delivered a splendid and timely address to the North Carolina Textile Association. Mr. Stevens is a respected patriot who has long advocated restraint on textile imports because of their adverse effects on the defense and security of our country. Mr. Speaker, additionally, Secretary Stevens has been greatly concerned with the job security of the American textile employee and the economy of our Nation. Mr. Stevens delivered the following outstanding address on October 1, 1970, which I commend to the attention of my colleagues:

REMARKS OF ROBERT T. STEVENS

A few months ago Bob Twitty, your outstanding President, asked me if I would appear on the program some time during the course of your Annual Meeting. He caught me in an unguarded moment and, being the long-time close friend that he is, I could not refuse. That part was easy but, as today drew nearer, the question became more binding as to what a textile veteran like me could say of interest to a sophisticated 1970 textile gathering like this.

Yes, I could reminisce, going back to my start in textiles 49 years ago in September of 1921. We had just three fibres in those days—cotton, wool and silk. So-called "artificial silk," later renamed rayon, was just around the corner. The cotton and wool industries were big. Silk manufacturing was moderate in size. All three were almost unrelated in manufacturing processes and machinery. Blends were unheard of.

Compare that with today and the hundreds of fibres currently available for every conceivable purpose. Quite a change. And quite a challenge! One could get by in those earlier days without too much of a technical staff. Look at it now—research, development, technology, quality control, pollution control, automation and computers are the order of the day. All of this raises a big question.

What is the textile industry going to be like 49 years from now? We all know we are living in an age of more rapid change than ever before. Therefore, it is obvious that our industry, despite the vast changes we have seen, particularly in recent years, will change even more rapidly from here on out. We are all going to have to move fast even to stand still! Technical considerations are bound to play a larger and larger part.

It would take a far wiser man than I to project what our American textile and apparel industry is going to look like even 10 or 20 years from now, to say nothing of a half century hence. Of one thing, however, I am absolutely certain. The American people, through the Congress, are going to have to make up their minds as to whether they want this great industry to retain its leading position as a job provider in the American economy or whether they are willing to sacrifice jobs to permit access to our markets of ever increasing floods of textile products made offshore by cheap foreign labor.

The combined industry with its 2,000,000 employees is listening very attentively right now to catch the voice and the opinion of the American people on this subject so vital to where our industry goes from here. The chips are down. The case has been argued for more than a decade. Study after study has been made. It is now in the hands of the Congress. The White House has sought action to limit textile and apparel imports. Secretary Stans has battled valiantly to achieve this. The verdict will, in my opinion, have a profound effect on textile and apparel planning for the future. It is for this reason that I hope the Senate will proceed immediately to attach the textile apparel amendment to pending legislation. Let's get on with the job.

Failure to act will stimulate offshore manufacturing by American companies for the American market. In this connection, Mr. Eugene E. Stone, III, President of Stone Manufacturing Co. was quoted recently as saying, "I'll believe we will get import relief when the Mills Bill is signed and sealed—and not before. If that relief is not forthcoming, my company will have no choice but to go offshore." That is surely a definitive statement. The Stevens Company has not and does not use foreign made fabrics. But we may have to review that policy.

Other textile companies will be reviewing their policies too. Will they increase capital expenditures overseas? Will they reduce these expenditures here in the United States? These and many other related questions will soon be up for consideration by textile and apparel planners, if import limitations do not materialize.

We all know there is very formidable opposition to limitation on imports of textiles and many other manufactured products. From the sheltered, non-competitive, confines of the classroom, for example, the economist preaches free trade. He gives little consideration, if any, to the fact that free trade does not exist except in theory. The American market is open to the products of the world. The vast majority of foreign markets are not.

We are all familiar with the dozens of devices that have been created as non-tariff barriers by foreign countries. American goods are discriminated against almost everywhere. Japan is a prime example of a discriminator against American products.

For instance, they can ship their small automobiles to the United States in unlimited quantities by the payment of a nominal 4½% tariff. American cars, on the other hand, are, to all intents and purposes, barred from the car market in Japan. Is this free trade? Must we do all of the giving?

Besides the opposition of the economists, there are other groups that have a business interest in being able to saturate the American market by using low cost offshore labor. These groups include some American manufacturers with overseas plants, high mark-up retailers, meat importers, foreign steel users, and others. While some unions, especially in textiles, apparel, shoes and steel, have shown an increasing awareness of the inroads on United States employment of the current flood of imports, it would seem that a much stronger and broader posture might be taken.

Eighteen years ago, in September of 1952, I had the honor of acting as Chairman of the American delegation to the International Cotton Textile Conference in England. This came to be known as The Buxton Conference and was attended by all of the principal cotton textile producing countries of the free world. During the course of the Conference it became increasingly clear to the members of the American Delegation that Japan would, in all probability, become a most disturbing element in international trade in cotton textiles down the road in the future.

Our feeling on this point was despite the concluding paragraph of the opening address by the Chairman of the Japanese delegation. This ran as follows:

"As I mentioned at this morning's session, our greatest hope is placed on increasing world cotton textile trading through international cooperation, and I assure you that our coming to England from distant Japan has for its object the planning of the furtherance of Japan's interests on the basis of the principle of live-and-let-live and acting hand-in-hand with all of the countries concerned."

It has been difficult to observe over recent years just where the principle of "live-and-let-live" or action "hand-in-hand" has been in evidence where Japan's relations with the United States on the subject of textiles have been concerned. Rather, it has appeared that Japan is determined to gobble up directly or indirectly, more and more of the American textile and apparel markets. Not just in cottons, which they have done, but in woolens and worsteds, which they have done, and now in man-mades, which they are rapidly doing.

Coming back to the economist, this gobbling up process appears to be O.K. with him. Most of them would just let the textile companies fall by the wayside and suggest training our employees, at Uncle Sam's expense, for some other job. Usually, they do not say what other job, where it is to be located or indicate what degree of adaptability they hope to achieve. It's an easy solution to propound. It is probably impossible to accomplish. In any event the fine people who work in these plants deserve a better fate than the depersonalized shifting about which the economists suggest.

I often wonder, when foreign governments fight so hard to protect and build up their industries, why American foreign policy seems willing at times to have many of its industries suffer severely under the banner of alleged free trade. And the bogeyman of retaliation is always set forth by opponents of any limitation on imports. It is the golden dollar market in the United States that foreign countries have their eyes on and they are not about to do anything which could adversely affect their access to our markets.

Then there is another point the free trader persistently tries to evade or ignore. Suppose our country should find itself faced with an all-out military emergency some time in the future. What would we do then? With our textile and many other industries decimated by free trade, would it be a good way to face that emergency by having to rely on Japan or some other distant country for military fabrics and other essential war requirements?

I doubt if the American people would be content with military dependence on overseas production, if they realized this is the position the free trader might put us in. Where would we have been in World War II if we had to depend on foreign sources of military fabrics and other vital war products. We might not have survived—that is how critical the well being of strong domestic industries can be. I hope we don't take any such awesome chance.

Having served in Army procurement throughout World War II and as Secretary of the Army during the latter phases of the Korean War, I feel qualified to a degree to discuss and stress this defense aspect of our industry. I have testified before committees of the Congress on this subject and am prepared to do so again whenever called. Referring to the woolen and worsted industry, my testimony includes a statement that what is left of this part of our industry could no longer fulfill the military and essential civilian requirements of an all-out emergency. This is a serious matter for our country.

Another consideration that opponents of import limitations overlook is the position of the American farm and ranch producer of cotton and wool. What would the American farmer do without the cotton textile industry? Surely he could not replace domestic consumption with profitable exports. And, as for the wool producer, he has only one customer—the United States woolen and worsted industry. Would the free traders wipe him out completely? Where then would wool come from in time of war? Is it not possible for the free traders at least to concede that a substantial fibre-growing segment of American agriculture is a desirable thing?

Let's look at another segment of American agriculture—the beef producers. Judged by the pressures around Washington from foreign beef producing countries, we really don't need a large cattle production here. I presume the free trader agrees with this because the cost of producing beef in the United States is much higher than in Australia, New Zealand, Canada, Mexico, Argentina, Uruguay and other countries.

Again, in an emergency, where would we get our beef? Or, without an emergency, what will the housewife pay for beef when the foreigners have taken charge of our supply of beef? Plenty, you may be sure, thus showing again the folly of theoretical free trade. Let's at least preserve the farm production necessary to feed, as well as clothe, our growing nation.

This may be my swan song in public appearances and, if so, I am sure there are a lot of free traders who will be delighted. I have argued with them in public and in private ever since I was an undergraduate at college. In my opinion, they overlook the fact that our forebears made a very major decision 150 to 160 years ago. They decided that the United States was going to be an industrialized nation and whatever measures were needed, would be taken. Since we could not compete with Britain and Europe at that time, they deliberately adopted a course of protection of American industry.

If they were wrong, please blame them—not us for feeling the same way they did. After all, their keen foresight resulted in the creation of an industrial machine which twice during our lifetimes, has made possible the preservation of freedom and prevented our possible defeat by dictators. If they were wrong in their policies, then I am perfectly willing to be wrong with them now. The preservation of an all-around, strong, healthy industrial and agricultural complex is even more important now than in some of those dangerous days in the history of our country.

While on this subject, I would be derelict if I did not interject that the so-called military-industrial complex is, in my opinion, the basic foundation of our national security. That complex, controlled by our duly elected civilian leaders, is the best insurance we can have for the survival of our freedom. In their understandable desire to cut government expenditures, it is to be hoped that the Administration and the Congress will not cut our defenses too deeply.

It might surprise you to know that the Navy, in the budget for the 1972 fiscal year now under consideration, may, according to the Armed Forces Journal, have fewer ships than the Navy of 1934! That concerns me in this world of 1970 and, especially so, in view of the rapid emergence of a large, completely modern, Russian Navy.

Just three days ago Chairman L. Mendel Rivers of the House Armed Services Committee warned the nation that unless the "deterioration in our military capability" is reversed, he foresaw the United States being "pushed out" of the Mediterranean, forced to accept a Soviet submarine base in Cuba and eventually unable to deter Soviet aggression. He said, "We are on the brink of disaster." And he urged that our nation provide itself with a modern Navy second to none. I join him as I am sure you do in that great hope.

Now then, the Stevens Company is an old one—157 years to be exact. Its history closely parallels that of the nation. We've gone through every war since the War of 1812, every depression, every boom and bust and have succeeded in rolling with the punches. We intend not only to maintain our business but, one way or another, changing with the times, to grow in the future as we have in the past.

With this in mind, we have recently broken ground for an important new Stevens plant. And where will it be located? Why, not surprisingly, in North Carolina! It will be our 23rd plant in this wonderful state.

And now, I thank you very sincerely for the privilege of appearing before you this morning. It is a great pleasure to be here with so many good Tar Heel friends. I wish all of you continued success in this great industry to which we are all so devoted. I am confident our combined efforts will find solutions to our problems that will mean we are, once again, on the way to greater things.

THE CIVIL RIGHTS COMMISSION REPORT

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

Mr. ANDERSON of Illinois. Mr. Speaker, it seems that whenever a high-level commission issues a report, we too often have a tendency to become hung up and sidetracked by political charges and countercharges and we consequently lose sight of what the Commission may desperately be trying to tell us about our Government, our society, and our Nation. We lift from context this sentence or that paragraph as they may suit or conform to our own narrow partisan or ideological interests. In so doing, a few may reap immediate, short-term political benefits, but the Nation suffers and loses in the long run.

I think it is unfortunate, and indeed tragic, that this same thing is already occurring over yesterday's issuance of the Civil Rights Commission report, "The Federal Civil Rights Enforcement Effort." The timing of the release has certainly not helped to prevent this from becoming a political football even though the report itself is balanced and nonpartisan in its criticisms of the Federal enforcement effort. While I have not yet had an opportunity to read the entire 1,115-page report, it is my understanding that its central concern is the breakdown in the implementation of the impressive array of civil rights laws now on the books. This failure cannot be pinned to any one administration, or agency, or group of individuals, past or present. As Commission Chairman, Rev. Theodore M. Hesburgh, stated yesterday:

> While the report deals primarily with the current civil rights posture of the Federal Government, it should be understood that the inadequacies described have roots that lie deep in the past. These inadequacies did not originate in the current Administration, nor was there any substantial period in the past when civil rights enforcement was at a uniformly high level of effectiveness.

The important point is, there is today a substantial gap between promise and delivery on civil rights. In the words of the Commission's report:

> It is clear that the full potential of civil rights laws and policies has not been realized. The promise of equal protection of law for all citizens has not been redeemed.

As the civil rights struggle shifts from legislation to administration and enforcement, it is apparent that we must tighten and strengthen our administrative and enforcement procedures to make them fully effective. The Commission report states that the most serious flaw in the enforcement effort has been the lack of overall direction and coordination. Consequently, agencies tend to operate independently with little recognition or understanding of what the Government's total civil rights program is or the role they should play in its implementation.

Mr. Speaker, I think the present administration is in a unique position to deal with these inadequacies and shortcomings: it is not bound to the bureaucratic structures and operating procedures of the past decade, and it has declared its commitment to making this a decade of Government reform. Indeed, the Civil Rights Commission has made two recommendations which fit neatly into the recently formed Domestic Affairs Council and the reorganized Office of Management and the Budget. It has proposed that a civil rights subcommittee be formed in the Domestic Affairs Council to assure systematic direction and coordination of civil rights goals, policies and priorities; and that a division of civil rights be established within the Office of Management and the Budget to provide civil rights guidance and direction to budget examiners and other units. I think these suggestions are well taken and deserve the serious attention and consideration of the administration as we seek vigorous and uniform civil rights implementation.

THE FEDERAL CIVIL RIGHTS ENFORCEMENT EFFORT

(Mr. EDWARDS of California asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. EDWARDS of California. Mr. Speaker, the U.S. Commission on Civil Rights yesterday published one of the most important reports issued by that body in its 13 year history. The report, "The Federal Civil Rights Enforcement Effort," deserves the close attention of every Member of Congress. It painstakingly documents the systemic weaknesses and failures of the civil rights enforcement programs of 40 departments and agencies.

As the Commission points out in its report, the various civil rights laws, executive orders, and judicial decisions constitute a formidable array of civil rights guarantees against discrimination in virtually every aspect of life—yet the Federal civil rights enforcement effort has been inadequate to redeem fully the promise of true equality of the law for all Americans.

Father Theodore M. Hesburgh of Notre Dame University, Chairman of the Commission, observes that—

> Legal mandates in and of themselves cannot bring about a truly open society, they must be implemented—and it is at this point that we have found a major breakdown.

Among the weaknesses shared by most Federal departments and agencies, the Commission found the following:

Inadequate staff and other resources to conduct civil rights enforcement activities with maximum effectiveness.

Lack of authority and subordinate status of civil rights officials.

Failure to define civil rights goals with sufficient specificity and breadth.

Failure to coordinate civil rights and substantive programs.

Undue emphasis on a passive enforcement role, such as reliance solely on complaints.

Failure to provide adequate coordination and direction to agencies having civil rights responsibilities.

Failure to collect and utilize racial and ethnic data in planning and evaluating progress toward goals.

Some of these weaknesses may be the result of the trial and error efforts of agencies attempting, in good faith, to meet their responsibilities in a relatively new area of concern. To this end the Commission made detailed findings and recommendations on each of the subject areas in the report suggesting ways in which agencies can strengthen existing compliance and enforcement mechanisms.

As Members of Congress who have sponsored and voted for civil rights legislation, we are seriously concerned with the implications of the findings of the Commission that departments and agencies have failed to carry out the mandates contained in the civil rights laws passed by Congress. The failure of the bureaucracy, however, also suggests a failure of the oversight responsibility of Congress to inform itself and to see to it that civil rights laws and policies are being implemented by the executive branch.

We believe that the Commission on Civil Rights has made a major contribution to the effective operation of government under law by its careful and dispassionate analysis of the specific weaknesses and failures in the Federal civil rights enforcement effort. We believe this is not a time to engage in baiting on responsibility for the failures of Government. There is and should be strong support from Members of both parties for the recommendations of the Commission.

The report of the Commission is truly a blueprint for overhauling the Nation's civil rights enforcement effort and getting it back on the tracks in sound operating condition.

The Commission's recommendations and findings are fully summed up in the statement of Father Hesburgh made on the release of the report. We urge that it be carefully read by all Members.

The following Members of the House of Representatives joined in this statement:

Phillip Burton, Donald Fraser, Edward R. Roybal, Patsy Mink, Edward I. Koch, Shirley Chisholm, Jonathan B. Bingham, Robert Kastenmeier, Augustus F. Hawkins, George E. Brown, Jr., Jerry Waldie, Jerry Cohelan, Benjamin S. Rosenthal, Thomas M. Rees, William F. Ryan, Abner K. Mikva, Louis Stokes, William Clay, John Conyers.

STATEMENT OF FATHER THEODORE M. HESBURGH, CHAIRMAN, U.S. COMMISSION ON CIVIL RIGHTS, OCTOBER 12, 1970

The report we are releasing this morning, "The Federal Civil Rights Enforcement Effort," is one of the most important documents the Commission has issued in its 13 year history. What the Commission has attempted to do in this report is identify with precision the current status of civil rights enforcement activities of virtually every Federal department and agency having civil rights responsibilities. This report, in a very real sense, is addressed not only to the President and Congress, but to the American people, who have the right to know whether the laws that govern us are working.

Over the years, the Commission has conducted hearings and investigations, and has issued numerous reports evaluating the civil rights activities of individual departments and agencies in carrying out specific civil rights laws and policies. These hearings, investigations, and reports revealed a variety of shortcomings in agency civil rights enforcement.

The Commission's experience persuaded us of the importance of conducting an across-the-board investigation of the Federal civil rights enforcement effort—of discovering for one given period of time the status of Federal civil rights enforcement and the extent to which the problems are systemic to the entire Federal establishment, rather than unique to individual departments and agencies.

Our examination of various laws, executive orders, and judicial decisions related to civil rights has disclosed that there is indeed an impressive array of civil rights guarantees that provide protection against discrimination in virtually every aspect of life—in education, employment, housing, voting, administration of justice, access to places of public accommodation, and participation in the benefits of federally assisted programs. There is, however, a gap between what these guarantees have promised and what has actually been delivered.

We are a result oriented Nation. We judge the effectiveness of institutions on the basis of the results they achieve. By this yardstick, progress in ending inequity by the application of law has been disappointing. In many areas in which civil rights laws afford pervasive legal protection—employment, housing, education—discrimination persists and the goal of equal opportunity is far from achievement.

The Commission has examined the Federal civil rights enforcement effort and found it wanting. In the language of the report, "The Federal civil rights effort has been inadequate to redeem fully the promise of true 'equal protection of the laws for all Americans.'"

Each civil rights law that has been passed, each executive order that has been issued, and each court decision favorable to the cause of civil rights, has been viewed as another step along the road to full equality for all Americans. But perhaps what has been lost sight of is that these legal mandates in and of themselves cannot bring about a truly open society, that they must be implemented—and it is at this point that we have found a major breakdown.

It is important to recognize that despite the shortcomings pointed out in this report, the civil rights laws have by no means been a total failure. In many areas—voting, education, hospital services, public accommodations—these laws have contributed substantially to ending discrimination. But despite the progress made possible by the various civil rights laws and policies, discrimination is still with us. The recurrence of this fact in the ordinary course of the Commission's work raises serious questions about the way Federal departments and agencies are carrying out their civil rights responsibilities.

Have these agencies established adequate civil rights goals and priorities?

Are the mechanisms and procedures adopted to secure compliance adequate to the task?

Have the officials responsible for the enforcement pursued their duties vigorously enough?

Are the efforts of Federal agencies adequately coordinated to assure maximum effectiveness?

These are some of the questions which the substance of our report attempts to answer. To the extent civil rights compliance and enforcement are not adequate, the report also seeks to identify what the weaknesses are and to recommend changes that will overcome them.

I want to stress two important points about the report. First, while the report necessarily discusses the programs and activities of particular departments and agencies, the purpose is not to single out any of them for blame—or, for that matter, for praise. The Commission's concern in this report is with the *system* of Federal civil rights enforcement and our purpose is to identify the problems which are *systemic* and to seek *systemic* changes.

Second, while the report deals primarily with the current civil rights posture of the Federal Government, it should be understood that the inadequacies described have roots that lie deep in the past.

As we point out in the Preface to the report these inadequacies did not originate in the current Administration, nor was there any substantial period in the past when civil rights enforcement was at a uniformly high level of effectiveness.

The Commission has made detailed findings and recommendations regarding each of the subject areas discussed in the report. We hope these findings will be studied carefully by the executive branch and that the recommendations for strengthening civil rights enforcement in these areas will be adopted.

The Commission's study, however, has revealed a number of weaknesses and inadequacies in civil rights enforcement that are common to most agencies, regardless of the programs they administer or the civil rights laws they enforce. It is these inadequacies that are of principal concern. They cannot be corrected through actions of individual departments and agencies, but only through more basic, systematic changes involving the entire Federal bureaucracy. These are some of the major weaknesses the Commission has found in the Federal civil rights enforcement effort.

First, the Commission has found that no agency has been provided with sufficient staff and other resources to carry out its civil rights responsibilities with maximum effectiveness. We also have found that of all the departments and agencies having civil rights responsibilities, in only two—the Department of Justice and HUD—is the chief civil rights officer at the Assistant Secretary level. In most departments and agencies, the chief civil rights officer is of relatively low rank and reports to someone other than the head of the agency. This necessarily impedes the efforts of civil rights officials to assure that civil rights needs and goals are accorded an appropriately high priority among agency activities.

Important as the factors of inadequate staff and low position of the civil rights chief are, it would be a mistake to conclude that they are the sole, or even major, obstacles to effective civil rights enforcement. There are other impediments, systemic to the Federal civil rights enforcement effort, which would prevent agencies from fully carrying out their civil rights responsibilities even if staff and status were at a sufficiently high level. Most agencies have failed to state the goals of their civil rights programs with sufficient specificity to enable them adequately to shape their civil rights policies and procedures. Other agencies, while they have stated civil rights goals, have stated them narrowly—often merely tracking the language of the civil rights laws which they administer. Lacking civil rights goals of sufficient breadth and specificity, the inevitable result often is that agencies fail to establish systematic compliance priorities and strategies. They concentrate their efforts on processing individual complaints, rather than attacking institutional patterns of discrimination and inequity.

In many agencies, civil rights and substantive programs are carried out in isolation from one another. Civil rights officials often are excluded from the decision-making process governing the operation of substantive programs and many of these programs tend to perpetuate racial and ethnic inequity. In some agencies, civil rights responsibility is assigned to program officials, many of whom lack civil rights training and are unsympathetic with civil rights goals.

One of the major weaknesses in the Federal civil rights enforcement effort has been the passive role that many agencies have adopted in carrying out their civil rights responsibilities. In some cases, agencies have been content to rely on assurances of nondiscrimination and make no effort to determine for themselves whether these assurances are in fact being honored. A number of agencies rely on the receipt of complaints as the principal or sole indicator of civil rights compliance. Few agencies have initiated actions on their own to inform themselves in detail of the state of civil rights compliance so as to be in a position to take the necessary corrective action.

Another major weakness has been the failure to make sufficient use of the sanctions available to enforce civil rights laws. In the contract compliance program, for example, the sanctions of contract termination and debarment never have been used. Under Title VI, many of the agencies that administer programs subject to that law never have imposed the sanction of fund termination, the principal weapon available to enforce nondiscrimination requirements. Instead, agencies have placed undue emphasis on obtaining voluntary compliance, permitting delays and interminable negotiations. Further, the Government has not instituted a sufficient number of lawsuits to make litigation a viable alternative to the imposition of administrative sanctions. As a result, the credibility of the Government's total civil rights effort has been seriously undermined.

In view of the lack of staff and other resources to carry out civil rights responsibilities with maximum effectiveness, it is essential that agencies having civil rights responsibilities in the same area work closely together and coordinate their activities. In fact, mechanisms have been established in areas such as employment, housing, and Title VI, to assure effective coordination among the various agencies that have civil rights responsibilities in common. These

mechanisms have not worked adequately and agencies have tended to operate independently, with different goals, different orientations, and different levels of compliance activity.

There also has been a failure to provide overall coordination and direction to the entire Federal civil rights enforcement effort. This, in the Commission's view, has been the most serious flaw in the administration of the Federal civil rights program.

The Commission believes that the President's recent reorganization of the White House and his Executive Office presents a unique opportunity for establishing the kind of systematic coordination and direction of Federal civil rights enforcement that is so badly needed. Under the reorganization plan, the President has created a Council on Domestic Affairs, chaired by the President and including as members the Vice President and the heads of all Cabinet departments except the Departments of State, Defense, and the Post Office. The plan also provides for an executive director and a staff, and its purpose is to serve as a coordinator of executive policy. Its concern will be with what the Federal Government should do and it is contemplated that subcommittees will be established with jurisdiction over specific areas of domestic concern.

Creation of the Domestic Affairs Council has the potential effect of structuring and institutionalizing many important civil rights functions that previously were performed on an *ad hoc* basis by the President's personal staff. We believe it is important for the President to establish a permanent civil rights subcommittee of the Council to assure systematic direction and coordination of civil rights goals, policies, and priorities. The Commission has made this its first recommendation in considering ways of strengthening the Federal Government's total civil rights effort.

The President also has reorganized another of his principal staff arms—the Bureau of the Budget. Pursuant to recommendations of his Advisory Council on Executive Reorganization, the President has established the Office of Management and Budget to replace the old Bureau of the Budget and has directed that its duties will focus on such matters as program evaluation and coordination. Thus while the Council on Domestic Affairs is concerned with what policies are established, the concern of OMB is with how these policies should be carried out and how well they are carried out.

The Commission believes that the Office of Management and Budget, with its new focus on more effective management, can play a significant role in assuring that civil rights laws and policies are carried out with maximum effectiveness. The Commission recommends establishment of a Division of Civil Rights within the Office of Management and Budget to work closely with the civil rights subcommittee of the Council on Domestic Affairs and to provide civil rights guidance and direction to budget examiners and other office units within OMB. The Commission also recommends that the various office units of OMB be directed to give high priority to civil rights considerations in their dealings with Federal departments and agencies.

It is important to recognize that this report has dealt primarily with problems of structure and mechanism. The Commission realizes, however, that achievement of civil rights goals and the full exercise of equal rights by minority group members will involve more than adjustments in civil rights machinery. Many of the weaknesses we have identified also reflect more deepseated problems—problems of hostile bureaucracies that view civil rights as a threat to their prerogatives and programs, and problems of inadequate or misordered national priorities. These problems cannot be resolved solely through modification of compliance and enforcement mechanisms. They can be resolved only through dedication and effort on the part of government officials, private civil rights organizations, and the American people, alike. The Commission concludes in its report:

"In the final analysis, achievement of civil rights goals depends on the quality of leadership exercised by the President in moving the Nation toward racial justice. The Commission is convinced that his example of courageous moral leadership can inspire the necessary will and determination, not only of the Federal officials who serve under his direction, but of the American people as well."

We feel that the matters raised in this report have grave implications. As a Nation firmly rooted in the rule of law, we are firmly committed to the principle that laws must be enforced.

Failure to implement those court decrees, executive orders, and legislation relating to civil rights, weaken the fabric of the Nation. Those who look to the law as an impartial arbiter of right and wrong and find that some laws are implemented with others are not, despair of the fairness of the system.

This cannot be allowed to happen. What we have proposed is nothing more than that use be made of existing laws to assure all Americans equal opportunity.

[From the New York Times, Oct. 13, 1970]

A FAILURE OF GOVERNMENT

The report of the Commission on Civil Rights adds up to an appalling indictment of the Federal establishment, both its politically chosen leadership and its career bureaucracy. At best, enforcement of the major civil rights laws passed between 1957 and 1968 has been uneven and mediocre. At worst, it has been nonexistent.

The commission surveyed the Government in its multiple role as employer, buyer of goods and services, financial patron of state and local governments, and regulator of railroads, airlines, radio, television and other industries. Wherever it looked, it found the Government's performance unsatisfactory.

The Office of Federal Contract Compliance is "grossly understaffed" and patently reluctant to use its authority. It has never terminated a contract or debarred a contractor from further Government work because of racial discrimination. Between 1965 and 1970 it referred only eight cases to the Justice Department for litigation.

The Equal Employment Opportunity Commission relies passively on injured parties to file complaints. It rarely initiates an attack on job bias on its own. Even in processing complaints, the commission until recently took from sixteen months to two years to act.

If such passivity has been characteristic of two agencies specially charged with combating racial discrimination, it is not astonishing that most of the regular departments and commissions have done an even worse job. In only two departments—Justice and Housing—is the official concerned with civil rights at the level of an Assistant Secretary. In most departments he is a middle-level official with severely circumscribed authority. Veteran bureaucrats, knowing that vigorous enforcement of civil rights is often unpopular with committee chairmen in Congress and with powerful local politicians, try to short-circuit enforcement for fear it will make their particular program "controversial."

As the Rev. Theodore M. Hesburgh, the Civil Rights Commission chairman, has emphasized, this widespread refusal to enforce the law is not a special failure of the Nixon Administration. These laws have never been well and systematically enforced, even under President Johnson, who in the Senate and in the White House sponsored most of them. Nevertheless, only President Nixon can now provide the vigorous leadership needed to correct the deep deficiencies which the commission has spotlighted.

If Negroes and other minorities are to achieve genuine equality in American life, Government must demonstrate that lawful processes do work and that the majestic promises of the nation's laws can become the reliable realities of everyday life.

FLORIDA PRESS ASSOCIATION HONORS SPESSARD L. HOLLAND

(Mr. PEPPER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PEPPER. Mr. Speaker, on October 3 the Florida Press Association, at its annual meeting at the Causeway Inn in Tampa, Fla., set apart a luncheon in honor of Senator SPESSARD L. HOLLAND, senior Senator from Florida, who is voluntarily retiring from the Senate at the end of this session. The editor of the Tampa Tribune, one of the outstanding newspapers of Florida and the country, Mr. J. A. Clendinen, paid tribute to Senator HOLLAND at the luncheon. Mr. Clendinen, in his moving words of honor and respect to Senator HOLLAND, spoke not only the sentiments of the Florida Press Association, composed of almost 100 daily and weekly newspapers of Florida, but all of the people of Florida. This was a rare tribute to a rare man. For Senator HOLLAND has spent 45 years in public service in Florida, from county judge through the Florida State Senate, the governorship of Florida, and 24 years in the U.S. Senate; and he has never been defeated for public office. Throughout his public career, he has been dedicated with indefatigable zeal to those whom he officially served and to his country. He has been the soul of honor and integrity, and he has had no master but his own judgment and conscience. Mr. Clendinen recites some of his particular accomplishments, although not nearly all.

SPESSARD L. HOLLAND has walked among men all of his life as a man of particular ability, and character, and grace. Florida and America will suffer an immeasurable loss when Senator HOLLAND leaves the Senate. So Mr. Clendinen spoke well when he paid his glowing tribute to Senator HOLLAND and delivered the beautiful plaque with its noble inscription, "Citizen, heroic soldier, statesman, gentleman." SPESSARD L. HOLLAND richly deserved it all.

Mr. Speaker, I include the tribute of Mr. Clendinen and the inscription on the plaque awarded by Mr. Clendinen, at the close of his address before the Florida Press Association, to Senator HOLLAND, following my remarks:

REMARKS CONCERNING SENATOR SPESSARD HOLLAND

(By J. A. Clendinen, editor, Tampa Tribune, before Florida Press Association, October 3, 1970)

When a politician bites a newspaper, it's not news.

When a newspaper bites a politician, it's not news.

But when the collective Press of an entire state *honors* a politician, that's news.

I use the term "politician" in its best sense—"one versed in the art or science of government."

This is a remarkable man we honor today.

A Phi Beta Kappa and a four-letter athlete in college, holder of the Distinguished Service Cross for heroism in World War I, elected to four different public offices in which he has compiled 45 years of service. And retiring not by will of the voters but by *his own choice.*

That's Spessard L. Holland of Bartow, now senior United States Senator from Florida.

In his 24 years in Washington, Senator Holland has made two lasting contributions to the nation.

One was the Tidelands Act, which settled the long controversy between federal and state governments on jurisdiction over coastal waters.

The other was the 24th Amendment abolishing the poll tax as a prerequisite for voting in Federal elections.

He was the author and tireless sponsor of both measures.

Now, when you consider that in the last 175 years only 15 amendments have been added to the Constitution, you realize that it is a rare honor for any man to have been responsible for one.

And it is particularly appropriate, I think, for history to record that it was a Southerner who authored repeal of the poll tax, which in many instances was used to impede or prevent Negro voting.

No man, of course, can be perfect.

So I must concede that there have been times when I found Senator Holland in disagreement with me on some questions of governmental philosophy.

But however mistaken I knew *him* to be, I also knew his position represented his personal conviction and not an expedient reach for votes.

It has never been necessary to use radar to determine Senator Holland's position on any controversial issue. You knew where he stood last week or last year and you could be pretty certain that's where you would find him today.

He has great respect for the Constitution. You could call him, I guess, a "strict constructionist". That philosophy has not been too fashionable in recent years among some judges, legislators and even newspaper editors. But I think all of us in the profession do want a strict construction of that part of the Constitution prohibiting any law "abridging freedom of speech or of the press."

Where the Press is concerned, it has needed no government-in-the-sunshine law or court order to gain access to Senator Holland's office.

During his term as Governor and his four terms as Senator I cannot recall any complaint by newsmen that he suppressed or distorted any information the public had a right to know.

He has been as much a stickler for the facts as the most exacting City Editor.

He has never fallen victim to the delusion, which so readily afflicts some politicians, that the office belonged to him and not to the public.

Nor, in his long tenure in Washington, did he come to believe that the District of Columbia was his constituency and the Washington Post an accurate mirror of American opinion. Florida and its people remained his first concern.

The people of Florida have never found cause to question his official integrity or to apologize for his personal conduct.

It is no disparagement of the two Senate candidates who appeared before us yesterday to say that I'm afraid we will not see the like of this man again.

Senator Holland, the Florida Press Association is quite willing to put into writing the sentiments I have tried to convey. So we have prepared a plaque summarizing the reasons for this unusual action by an organization representing the daily and weekly newspapers of this state. We hope you can find a place for it among your many other emblems of honor . . .

I would like to read the inscription:

"Presented to Spessard L. Holland in recognition of his contribution to Florida and the nation during 45 years of public service as Polk County Prosecutor, County Judge, State Senator, Governor and United States Senator. The nation will remember him as the author of the 24th Amendment and the Tidelands Act; his fellow Floridians honor him for his lifelong devotion to public duty and his consistent defense of Constitutional principles, including the preservation of a free press.

"THE FLORIDA PRESS ASSOCIATION.

"October 3, 1970."

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. BLANTON (at the request of Mr. JONES of Tennessee), for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. CAMP) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. GROSS, for 15 minutes, on October 13.

Mr. PRICE of Texas, for 30 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

Mr. WHALEN, for 5 minutes, today.

Mr. ROTH, for 5 minutes, today.

Mr. ASHBROOK, for 30 minutes, today.

Mr. STEIGER of Wisconsin, for 5 minutes, today.

Mr. ANDREWS of North Dakota, for 15 minutes, today.

(The following Members (at the request of Mr. FOLEY) to address the House and to revise and extend their remarks and include extraneous matter:)

Mr. FLOOD, for 15 minutes, today.

Mr. KEE, for 60 minutes, today.

Mr. ADDABBO, for 60 minutes, on October 14.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. TEAGUE of Texas to include tabular material with his remarks made today on H.R. 16710.

Mr. MAHON and to include certain tables.

Mr. ARENDS to revise and extend his remarks made today on James C. May and to include extraneous matter and all Members to extend their remarks.

Mr. ROONEY of New York following the vote on H.R. 17604.

Mr. MADDEN, and to include extraneous material.

Mr. BROYHILL of Virginia, immediately prior to the passage of S. 2695 today.

(The following Members (at the request of Mr. CAMP) and to include extraneous material:)

Mr. RAILSBACK.
Mr. RUTH.
Mr. WOLD.
Mr. BRAY in six instances.
Mr. FINDLEY.
Mr. HORTON in eight instances.
Mr. MCEWEN in 10 instances.
Mr. GUDE.
Mr. CONABLE.
Mr. SCHMITZ in three instances.
Mr. SHRIVER.
Mr. WYMAN in four instances.
Mr. LANDGREBE in two instances.
Mr. CUNNINGHAM in five instances.
Mr. MIZE.
Mr. ANDERSON of Illinois.
Mr. ASHBROOK in two instances.
Mr. FISH.
Mr. MORTON.
Mr. ANDREWS of North Dakota in two instances.
Mr. DELLENBACK in two instances.
Mr. PRICE of Texas in four instances.
Mr. LANGEN.
Mr. SCHWENGEL in two instances.
Mr. MCCLURE in two instances.
Mr. WHITEHURST.
Mr. CARTER.
Mr. KLY.
Mr. POFF.
Mr. CONTE.
Mr. DUNCAN in four instances.
Mr. ROBISON in two instances.
Mr. HOSMER in two instances.
Mr. MCCLORY.
Mr. HOGAN.
Mrs. HECKLER of Massachusetts.
Mr. MORSE.
Mr. MESKILL in three instances.
Mr. DON H. CLAUSEN in two instances.
Mr. BURTON of Utah in five instances.
Mr. STEIGER of Wisconsin.

(The following Members (at the request of Mr. FOLEY) and to include extraneous matter:)

Mr. BIAGGI in 10 instances.
Mr. EILBERG in three instances.
Mr. FLOOD in three instances.
Mr. STOKES in three instances.
Mr. CORMAN.
Mr. COHELAN in four instances.
Mr. MIKVA in six instances.
Mr. VANIK in two instances.
Mr. WALDIE in three instances.
Mr. PRYOR of Arkansas.
Mr. DADDARIO in five instances.
Mr. ULLMAN in five instances.
Mr. NICHOLS in two instances.
Mr. RARICK in six instances.
Mr. PODELL in five instances.
Mr. PHILBIN in six instances.
Mr. PATMAN.
Mr. HAMILTON in five instances.
Mr. FOUNTAIN in three instances.
Mr. KLUCZYNSKI in two instances.
Mr. FRASER in 10 instances.
Mr. MOLLOHAN in five instances.
Mr. DENT.
Mr. ROONEY of Pennsylvania.
Mr. REES in three instances.
Mr. WOLFF in five instances.
Mr. OBEY in six instances.
Mr. BENNETT.
Mr. MACDONALD of Massachusetts in two instances.
Mr. BINGHAM in five instances.
Mr. HATHAWAY in two instances.
Mr. DONOHUE in two instances.
Mr. SHIPLEY.
Mr. CHAPPELL in two instances.
Mr. ANDERSON of California in two instances.
Mr. PEPPER.
Mr. ROONEY of New York in two instances.
Mr. BURLISON of Missouri.
Mr. EVINS of Tennessee in six instances.
Mr. PATTEN.
Mr. BROWN of California.
Mr. FOLEY in three instances.
Mr. GALIFIANAKIS in two instances.
Mr. ALBERT in two instances.

SENATE BILLS REFERRED

Bills of the Senate of the following titles were taken from the Speaker's table and, under the rule, referred as follows:

S. 2695. An act to provide for the retirement of officers and members of the Metropolitan Police force, the Fire Department of the District of Columbia, the U.S. Park Police force, the Executive Protective Service, and of certain officers and members of the U.S. Secret Service, and for other purposes; to the Committee on the District of Columbia.

S. 3010. An act to authorize in the District of Columbia a program of public-day-care services; to the Committee on the District of Columbia.

S. 3944. An act to authorize the District of Columbia to enter into the Interstate Agreement on Qualification of Educational Personnel; to the Committee on the District of Columbia.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills and a Joint Resolution of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 2175. An act to amend title 18 of the United States Code to authorize the Attorney General to admit to residential community treatment centers persons who are placed on probation, released on parole, or mandatorily released;

H.R. 9164. An act to permit the use for any public purpose of certain real property in the State of Georgia;

H.R. 9634. An act to amend title 38 of the United States Code in order to improve and make more effective the Veterans' Administration program of sharing specialized medical resources, and for other purposes;

H.R. 10317. An act to adjust the date of rank of commissioned officers of the Marine Corps;

H.R. 11833. An act to amend the Solid Waste Disposal Act in order to provide financial assistance for the construction of solid waste disposal facilities, to improve research programs pursuant to such Act, and for other purposes;

H.R. 13307. An act to amend chapter 3 of title 16 of the District of Columbia Code to change the requirement of consent to the adoption of a person under twenty-one years of age.

H.R. 13601. An act to release and convey the reversionary interest of the United States in certain real property known as the McNary Dam Townsite, Umatilla County, Oreg.;

H.R. 15405. An act to render the assertion of land claims by the United States based upon accretion or avulsion subject to legal and equitable defenses to which private persons asserting such claims would be subject;

H.R. 17146. An act supplemental to the act of February 9, 1821, incorporating the Columbian College, now known as the George Washington University, in the District of Columbia and the acts amendatory or supplemental thereof;

H.R. 17654. An act to improve the operation of the legislative branch of the Federal Government, and for other purposes; and

H.J. Res. 1388. Joint resolution making further continuing appropriations for the fiscal year 1971, and for other purposes.

BILLS PRESENTED TO THE PRESIDENT

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee did on October 12, 1970, present to the President, for his approval, bills of the House of the following titles:

H.R. 9654. An act to authorize subsistence, without charge, to certain air evacuation patients.;

H.R. 11876. An act to amend section 1482 of title 10, United States Code, to authorize the payment of certain expenses incident to the death of members of the armed forces in which no remains are recovered;

H.R. 12870. An act to provide for the establishment of the King Range National Conservation area in the State of California;

H.R. 13519. An act to declare that the United States holds 19.57 acres of land, more or less, in trust for the Yankton Sioux Tribe;

H.R. 14322. An act to amend section 405 of title 37, United States Code, relating to cost-of-living allowances for members of the uniformed services on duty outside the United States or in Hawaii or Alaska.

H.R. 15112. An act to repeal several obsolete sections of title 10, United States Code, and section 208 of title 37, United States Code;

H.R. 15424. An act to amend the Merchant Marine Act, 1936;

H.R. 15624. An act to convey certain federally owned land to the Cherokee Tribe of Oklahoma;

H.R. 16732. An act to amend title 37, United States Code, to provide that enlisted members of a uniformed service who accept appointments as officers shall not receive less than the pay and allowances to which they were previously entitled by virtue of their enlisted status; and

H.R. 16997. An act for the relief of Colie Lance Johnson, Jr.

ADJOURNMENT

Mr. FOLEY. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 56 minutes p.m.), under its previous order, the House adjourned until tomorrow, Wednesday, October 14, 1970, at 11 o'clock a.m.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2456. A communication from the President of the United States, transmitting proposed supplemental appropriations and other provisions for the fiscal year 1971, together with a letter from the Office of Management and Budget (H. Doc. 91–404); to the Committee on Appropriations and ordered to be printed.

2457. A letter from the Director, Office of Management and Budget, Executive Office of the President, transmitting a report on the operation of the limitation on budget outlays for fiscal year 1971, for the period through September 30, 1970, pursuant to section 501 of the Second Supplemental Appropriations Act, 1970 (H. Doc. 91–403); to the Committee on Appropriations and ordered to be printed.

2458. A letter from the Secretary of the Air Force, transmitting a report on Air Force military construction contracts awarded without formal advertisement, for the period January 1 through June 30, 1970, pursuant to section 804 of Public Law 90–110; to the Committee on Armed Services.

2459. A letter from the Acting Director, Central Intelligence Agency, transmitting a draft of proposed legislation to amend the Central Intelligence Agency Retirement Act of 1964 for Certain Employees, as amended, and for other purposes; to the Committee on Armed Services.

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 follow:

Mr. DENT: Committee on House Administration. Senate Joint Resolution 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 (Rept. No. 91–1598). Referred to the Committee of the Whole House of the State of the Union.

Mr. ICHORD: Committee on Internal Security. H.R. 19163. A bill to amend the Emergency Detention Act of 1950 (title II of the Internal Security Act of 1950) (Rept. No. 91–1599). Referred to the Committee of the Whole House on the State of the Union.

Mr. COLMER: Committee on Rules. House Resolution 1251. Resolution for consideration of H.R. 17849, a bill to provide financial assistance for and establishment of improved rail passenger service in the United States, to provide for the upgrading of rail roadbed and the modernization of rail passenger equipment, to encourage the development of new modes of high speed ground transportation, to authorize the prescribing of minimum standards for railroad passenger service, to amend section 13(a) of the Interstate Commerce Act, and for other purposes (Rept. No. 91–1600). Referred to the House Calendar.

Mr. PICKLE: Committee on Interstate and Foreign Commerce. H.R. 19599. 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 (Rept. No. 91–1601). Referred to the Committee of the Whole House on the State of the Union.

Mr. MADDEN: Committee on Rules. House Resolution 1252. Resolution for consideration of H.R. 19519, A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability, and for other purposes (Rept. No. 91–1602). Referred to the House Calendar.

Mr. STAGGERS: Committee of conference. Conference report on H.R. 18583 (Rept. No. 91–1603). Ordered to be printed.

Mr. FRIEDEL: Committee on House Administration. House Resolution 1238. Resolution relating to the Speaker of the House of Representatives in the 91st Congress (Rept. No. 91–1604). Referred to the House Calendar.

Mr. POAGE: Committee on Agriculture. S. 3070. An act to encourage the development of novel varieties of sexually reproduced plants and to make them available to the public, providing protection available to those who breed, develop, or discover them, and thereby promoting progress in agriculture in the public interest (Rept. No. 91–1605). 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. ANDERSON of California:

H.R. 19684. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct expenses incurred in traveling outside the United States to obtain information

concerning a member of his immediate family who is missing in action, or who is or may be held prisoner, in the Vietnam conflict, and for other purposes; to the Committee on Ways and Means.

By Mr. ASHBROOK:

H.R. 19685. A bill to assure to all Americans adequate protection against the costs of health care, through Federal-State programs covering all costs incurred by those who are unable to provide such protection for themselves and a Federal program covering catastrophic costs incurred by those who are normally able to provide such protection; to the Committee on Ways and Means.

By Mr. BETTS:

H.R. 19686. A bill to amend section 367 of the Internal Revenue Code of 1954; to the Committee on Ways and Means.

By Mr. BRADEMAS:

H.R. 19687. A bill to assure an opportunity for employment to every American seeking work and to make available the education and training needed by any person to qualify for employment consistent with his highest potential and capability, and for other purposes; to the Committee on Education and Labor.

By Mr. BUCHANAN:

H.R. 19688. A bill to protect the personal security and academic freedom of students, faculty, staff, and other employees of institutions of higher education by requiring the adoption of procedures by the States to govern the treatment of disruptive campus violence by students, staff, and other employees, as a precondition to Federal assistance, and to assist such institutions in their efforts to prevent and control campus disorders; to the Committee on Education and Labor.

By Mr. BYRNE of Pennsylvania:

H.R. 19689. A bill to declare a portion of the Delaware River in Philadelphia County, Pa., non-navigable; to the Committee on Interstate and Foreign Commerce.

By Mr. CELLER:

H.R. 19690. A bill to amend the Revised Organic Act of the Virgin Islands; to the Committee on the Judiciary.

By Mr. CRANE:

H.R. 19691. A bill to amend the Internal Revenue Code of 1954 to permit a taxpayer to deduct certain expenses paid by him in connection with his education or training, or the education or training of his spouse or any of his dependents, at an institution of higher education or a trade or vocational school; to the Committee on Ways and Means.

By Mr. DADDARIO:

H.R. 19692. A bill to amend the Fair Packaging and Labeling Act; to the Committee on Interstate and Foreign Commerce.

By Mr. DERWINSKI:

H.R. 19693. A bill to assure to all Americans adequate protection against the costs of health care, through Federal-State programs covering all costs incurred by those who are unable to provide such protection for themselves and a Federal program covering catastrophic costs incurred by those who are normally able to provide such protection; to the Committee on Ways and Means.

By Mr. EVINS of Tennessee:

H.R. 19694. A bill to amend the Tennessee Valley Authority Act of 1933 to assure that a fair share of the contracts and purchases made by the Tennessee Valley Authority will be placed with small business concerns; to the Committee on Public Works.

By Mr. FINDLEY:

H.R. 19695. A bill to amend the Public Health Service Act to encourage physicians, dentists, and other medical personnel to practice in areas where shortages of such personnel exist, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. FOLEY (for himself, Mr. ULLMAN, Mr. MATHIAS, Mr. DON H. CLAUSEN, Mr. MCCLURE, Mr. JOHNSON of California, Mr. OLSEN, Mr. HANSEN of Idaho, Mr. DELLENBACK, and Mr. WOLD):

H.R. 19696. A bill to authorize the Secretary of Agriculture to enter into negotiated contracts for the protection from fires of lands under the jurisdiction of the Department of Agriculture; to the Committee on Agriculture.

By Mr. FULTON of Pennsylvania:

H.R. 19697. A bill to prohibit assaults on State law enforcement officers, firemen, and judicial officers; to the Committee on the Judiciary.

By Mr. KYROS:

H.R. 19698. A bill to provide relief from Dutch elm disease by amending the Forest Pest Control Act; to the Committee on Agriculture.

By Mr. LANDRUM:

H.R. 19699. A bill relating to the exemption from the excise tax on trucks of equipment designed primarily for certain use on farms; to the Committee on Ways and Means.

By Mr. O'NEILL of Massachusetts:

H.R. 19700. A bill to amend section 152 of the Internal Revenue Code of 1954 to remove the residence requirements applied in determining whether an individual who is not a citizen of the United States qualifies as a dependent for income tax purposes; to the Committee on Ways and Means.

By Mr. ROGERS of Florida:

H.R. 19701. A bill to amend section 3104 of title 38, United States Code, to permit certain service-connected disabled veterans who are retired members of the uniformed services to receive compensation concurrently with retired pay, without deduction from either; to the Committee on Veterans' Affairs.

By Mr. SCHEUER:

H.R. 19702. A bill to amend the Railroad Retirement Act of 1937 to provide a full annuity for any individual (without regard to his age) who has completed 30 years of railroad service; to the Committee on Interstate and Foreign Commerce.

By Mr. SCHNEEBELI:

H.R. 19703. A bill to suspend until the close of December 31, 1972, the duty on certain articles of germanium; to the Committee on Way and Means.

By Mr. TEAGUE of California:

H.R. 19704. A bill to assure to all Americans adequate protection against the costs of health care, through Federal-State programs covering all costs incurred by those who are unable to provide such protection for themselves and a Federal program covering catastrophic costs incurred by those who are normally able to provide such protection; to the Committee on Ways and Means.

By Mr. TEAGUE of California (for himself and Mr. BELL of California):

H.R. 19705. A bill to establish in the State of California the Toyan National Urban Park; to the Committee on Interior and Insular Affairs.

By Mr. VANIK (for himself, Mr. ADDABBO, Mr. BRASCO, Mrs. CHISHOLM, Mr. CLARK, Mr. CLAY, Mr. CONYERS, Mr. DONOHUE, Mr. EDWARDS of California, Mr. EILBERG, Mr. GAYDOS, Mr. HALPERN, Mr. MADDEN, Mr. MOORHEAD, Mr. OLSEN, Mr. PATTEN, Mr. PIKE, Mr. RODINO, Mr. ROSENTHAL, Mr. RYAN, Mr. TUNNEY, Mr. WOLFF, Mr. YATES, and Mr. REES):

H.R. 19706. A bill to amend the Clean Air Act to provide for a more effective program to improve the quality of the Nation's air; to the Committee on Interstate and Foreign Commerce.

By Mr. WOLD:

H.R. 19707. A bill to encourage States to establish junked motor vehicle disposal programs, and for other purposes; to the Committee on Interstate and Foreign Committee.

By Mr. BENNETT:

H.R. 19708. A bill to provide for mobile home facilities at various military establishments; to the Committee on Armed Services.

By Mr. BROCK:

H.R. 19709. A bill to establish a Department of Environmental Protection, to transfer certain existing agencies and programs concerned with environmental quality to such Department, and for other purposes; to the Committee on Ways and Means.

By Mr. DELLENBACK:

H.R. 19710. A bill to amend the act of August 20, 1954, authorizing the Talent division of the Rogue River Basin reclamation project, Oregon (68 Stat. 752), as amended (76 Stat. 677), in order to increase the amount authorized to be appropriated for such work; to the Committee on Interior and Insular Affairs.

By Mr. FRASER:

H.R. 19711. A bill to promote higher education at the graduate level through a national program of institutional grants to the colleges and universities of the United States; to the Committee on Education and Labor.

By Mr. GONZALEZ:

H.R. 19712. A bill to make it a Federal crime to kill or assault a fireman or law enforcement officer engaged in the performance of his duties when the offender travels in interstate commerce or uses any facility of interstate commerce for such purpose; to the Committee on the Judiciary.

By Mr. MACGREGOR:

H.R. 19713. A bill to extend benefits under section 8191 of title 5, United States Code, to law enforcement officers and firemen not employed by the United States who are killed or totally disabled in the line of duty; to the Committee on the Judiciary.

By Mr. MINISH:

H.R. 19714. A bill to improve law enforcement in urban areas by making available funds to improve the effectiveness of police services; to the Committee on the Judiciary.

By Mr. MORSE:

H.R. 19715. A bill to amend the student loan provisions of the National Defense Education Act of 1958 to provide for cancellation of loans on account of service in Headstart programs; to the Committee on Education and Labor.

By Mr. PRICE of Texas:

H.R. 19716. A bill to make it a Federal crime to kill or assault a fireman or law enforcement officer engaged in the performance of his duties when the offender travels in interstate commerce or uses any facility of interstate commerce for such purpose; to the Committee on the Judiciary.

H.R. 19717. A bill to amend the Social Security Act of 1936 as amended to modify the nursing requirements in small capacity hospitals; to the Committee on Ways and Means.

By Mr. REID of New York:

H.R. 19718. A bill to establish a Federal Broker-Dealer Insurance Corporation; to the Committee on Interstate and Foreign Commerce.

By Mr. STAFFORD:

H.R. 19719. A bill to assure to all Americans adequate protection against the costs of health care, through Federal-State programs covering all costs incurred by those who are unable to provide such protection for themselves and a Federal program covering catastrophic costs incurred by those who are normally able to provide such protection; to the Committee on Ways and Means.

By Mr. STAGGERS:

H.R. 19720. A bill to amend the Interstate Commerce Act, to grant certain additional authority to the Interstate Commerce Commission regarding conglomerate holding companies involving carriers subject to the jurisdiction of the Commission and noncarriers, and for other purposes; to the Committee on Interstate and Foreign Commerce.

By Mr. STEIGER of Wisconsin:

H.R. 19721. A bill to require Federal contractors to comply with air and water pollution control regulations; to the Committee on the Judiciary.

By Mr. STUCKEY:

H.R. 19722. A bill to encourage improvement in pollution control standards and conditions, to provide a system of mutual loan insurance, and for other purposes; to the Committee on Banking and Currency.

By Mr. HARRINGTON:

H.R. 19723. A bill to authorize the importation without regard to existing quotas of fuel oil to be used for residential heating purposes in the New England States; to the Committee on Ways and Means.

By Mr. MESKILL:

H.R. 19724. A bill to establish a system for the sharing of certain Federal tax revenues with the States; to the Committee on Ways and Means.

By Mr. MICHEL:

H.R. 19725. A bill to breakdown hindrances and remove obstacles to the employment of partially disabled persons honorably discharged from our Armed Forces following service in war by making an equitable adjustment of the liability under the workmen's compensation laws which an employer must assume in hiring disabled veterans; to the Committee on Veterans' Affairs.

By Mr. PRICE of Texas:

H.R. 19726. A bill to prohibit assaults and other crimes on State law enforcement officers, firemen and judicial officers; to the Committee on the Judiciary.

By Mr. CHARLES H. WILSON:

H.R. 19727. A bill to terminate the Airlines Mutual Aid Agreement; to the Committee on Interstate and Foreign Commerce.

By Mr. DANIEL of Virginia (for himself and Mr. ABBITT):

H.J. Res. 1399. Joint resolution proposing an amendment to the Constitution of the United States relative to the assignment of students in the public schools by a freedom of choice system; to the Committee on the Judiciary.

By Mr. GUBSER:

H.J. Res. 1400. Joint resolution urging the U.S. Arms Control and Disarmament Agency to prepare and present to Congress a preliminary plan for alleviating unemployment caused by reduced defense spending; to the Committee on Education and Labor.

By Mr. HUNGATE (for himself, Mr. ANDERSON of Illinois, Mr. FARBSTEIN, Mr. PRICE of Illinois, Mr. RODINO, and Mr. SYMINGTON):

H. Con. Res. 780. Concurrent resolution urging review of the United Nations Charter; to the Commtitee on Foreign Affairs.

By Mr. PODELL:

H. Con. Res. 781. Concurrent resolution that November 24, 1970, be declared World Law Day; to the Committee on the Judiciary.

By Mr. FULTON of Pennsylvania:

H. Res. 1253. Resolution creating a select committee to conduct an investigation and study of the care of the aged in the United States and the effects of Federal laws and programs on the availability and quality of care; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ADDABBO:

H.R. 19728. A bill for the relief of Mayo Goff; to the Committee on the Judiciary.

By Mr. EDWARDS of Alabama:

H.R. 19729. A bill for the relief of Ruhollah Sayyah; to the Committee on the Judiciary.

By Mr. GONZALEZ:

H.R. 19730. A bill for the relief of the estate of Sampson Godfrey Dalkowitz and of the trusts created under his will; to the Committee on the Judiciary.

By Mr. HELSTOSKI:

H.R. 19731. A bill for the relief of Mrs. Rosaria A. Cappadona and daughter, Graziella Cappadona; 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:

620. By Mr. RYAN: Petition of Parents Lead Poisoning Action Group—Mrs. Ethel Jamison, president, containing 356 signatures in support of H.R. 9191, H.R. 9192, and H.R. 11699, concerning lead-based paint poisoning; to the Committee on Interstate and Foreign Commerce.

621. By the SPEAKER: Petition of the Philadelphia Historical Commission, Philadelphia, Pa., relative to the preservation and restoration of the Thaddeus Kosciuszko home; to the Committee on Interior and Insular Affairs.

HOUSE OF REPRESENTATIVES—*Wednesday, October 14, 1970*

The House met at 11 o'clock a.m.

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

Colossians 3: 14: *Above all put on love which binds everything together in perfect harmony.*

Eternal God, our Father, ere our recess begins we pause to pray for the coming of Thy kingdom of righteousness, peace, and good will. In the midst of a swiftly changing order may our faith in Thee and our obedience to Thy laws continue to move us as we seek to usher in a new day of human brotherhood.

Direct our people as they elect our leaders. Grant that their choices may promote Thy glory and the welfare of our Nation. To those elected give courage, wisdom, and good will that they may lead our citizens in the ways of life and liberty for all, and may those not elected continue to labor faithfully for the good of our Republic.

Bless all those in the service of our country, particularly our prisoners of war. Strengthen them to meet each day with the realization that Thou art their refuge and underneath are the everlasting arms.

May Thy peace and Thy love abide in our hearts now and always. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

The SPEAKER. The Chair understands there is a message from the Senate, which the Chair, acting for the House, will receive.

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

H.R. 10335. An act to revise certain provisions of the criminal laws of the District of Columbia relating to offenses against hotels, motels, and other commercial lodgings, and for other purposes; and

H.R. 14982. An act to provide for the immunity from taxation in the District of Columbia in the case of the International Telecommunications Satellite Consortium, and any successor organization thereto.

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

H.R. 10336. An act to revise certain laws relating to the liability of hotels, motels, and similar establishments in the District of Columbia to their guests; and

H.R. 13565. An act to validate certain deeds improperly acknowledged or executed (or both) that are recorded in the land records of the Recorder of Deeds of the District of Columbia.

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

S. 1142. An act to authorize and direct the Secretary of Agriculture to classify as a wilderness area the national forest lands adjacent to the Eagle Cap Wilderness Area, known as the Minam River Canyon and adjoining area, in Oregon, and for other purposes;

S. 3747. An act to amend the District of Columbia Code to increase the jurisdictional amount for the administration of small estates, to increase the family allowance, to provide simplified procedures for the settlement of estates, and to eliminate provisions which discriminate against women in administering estates;

S. 3748. An act to provide for the removal of snow and ice from the paved sidewalks of the District of Columbia; and

S. 3749. An act relating to crime in the District of Columbia.

CONGRESSIONAL RECORD—PRINTING DURING ADJOURNMENT

Mr. FRIEDEL. Mr. Speaker, I understand that unanimous consent will be requested today so that Members may be permitted to make insertions in the Extensions of Remarks of the RECORD following the adjournment of Congress; their request will also be in accordance with the notice of the Joint Committee on Printing, and the statement by the Senator from North Carolina, Mr. JORDAN, which were published on the first page of the RECORD dated October 13, 1970.

GENERAL LEAVE

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that notwithstanding any adjournment of the House until November 16, 1970, all Members of the House shall have the privilege to extend and revise their own remarks in the CONGRESSIONAL RECORD on more than one subject, if they so desire, and also to include therein such short quotations as may be necessary to explain or complete