

set that, but the express wording of the section says that the electors voting for candidates for the House of Representatives shall have the same qualifications.

Yet the Supreme Court in its inimitable fashion of leaving a legal question in greater confusion and greater doubt by its decision has set up two separate rules—one set for the State and local elections, and another set for the Congress for national elections when the article itself says that the electors for Congressmen—that is the people who vote and it is not talking about presidential electors, but the electors for Congressmen—shall have the same qualifications as electors for the State legislature. That shows that they should have a uniform plan and not two separate standards. Yet, that is what the Supreme Court has given us.

I favor the principle of 18-year-old voting. I still want to see that accomplished by a constitutional amendment. That is the reason that during the next Congress I am hopeful that the amendment to be proposed by the distinguished senior Senator from West Virginia (Mr. RANDOLPH) providing for 18-year-old voting in national, State, and local elections will be submitted by the Congress and that the States will be given an opportunity to vote on that amendment and that this question can be resolved properly and in a lasting fashion, free from the confusion in which we are left by the decision of the Supreme Court.

Mr. President, I yield the floor.

INTRODUCTION OF A BILL

A bill was introduced, read the first time and, by unanimous consent, the second time, and referred as follows:

By Mr. MANSFIELD (for himself, Mr. PASTORE, and Mr. CANNON):

S. 4607. A bill to promote fair practices in the conduct of election campaigns for Federal political offices, and for other purposes; referred jointly to the Committees on Commerce, Rules and Administration, and Finance, with instructions.

(The remarks of Mr. MANSFIELD when he introduced the bill appear immediately below.)

S. 4607—INTRODUCTION OF THE "FEDERAL ELECTION CAMPAIGN ACT OF 1970"

Mr. MANSFIELD. Mr. President, I introduce a bill on behalf of Senator PASTORE, Senator CANNON, and myself and ask unanimous consent that it be referred simultaneously to the Committees on Commerce, Rules, and Finance and when the bill shall have been first reported from a committee, it shall be referred to the other two committees in the form reported with instructions to report back within 45 days.

The PRESIDING OFFICER (Mr. STEVENS). The bill will be received; and, without objection, the bill will be referred, with instructions, as requested by the Senator from Montana.

The bill (S. 4607) to promote fair practices in the conduct of election campaigns for Federal political offices, and

for other purposes, was reintroduced by Mr. MANSFIELD (for himself, Mr. PASTORE, and Mr. CANNON), was received, read twice by its title, and referred simultaneously to the Committees on Commerce, Rules and Administration, and Finance.

ADJOURNMENT UNTIL 9 A.M. TOMORROW

Mr. KENNEDY. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment, in accordance with the previous order.

The motion was agreed to; and (at 10 o'clock and 19 minutes p.m.) the Senate adjourned until tomorrow, Thursday, December 31, 1970, at 9 a.m.

CONFIRMATIONS

Executive nominations confirmed by the Senate December 30 (legislative day of December 28), 1970:

NATIONAL RAILROAD PASSENGER CORPORATION

The following-named persons to be incorporators of the National Railroad Passenger Corporation for a period of 180 days following October 30, 1970:

Frank S. Besson, Jr., of Virginia.
David E. Bradshaw, of Illinois.
John J. Gilhooley, of New York.
David Walbridge Kendall, of Michigan.
Arthur D. Lewis, of Connecticut.
Charles Luna, of Ohio.
Catherine May, of Washington.
John P. Olsson, of Connecticut.

HOUSE OF REPRESENTATIVES—Wednesday, December 30, 1970

The House met at 12 o'clock noon.

Pastor Jack P. Lowndes, Memorial Baptist Church, Arlington, Va., offered the following prayer:

You know how to interpret the appearance of the sky, but you cannot interpret the signs of the times.—Matthew 16: 3 (RSV).

Lord, we come to Thee because Thou alone knowest the secrets of time and space. Be with us now and guide us by Thy presence that we may perceive the meaning of the events of our day. Thanking Thee for those who serve in the Congress of the United States, we pray that they will seek and find strength and wisdom from Thee. So lead them that we as a nation might fulfill our divine destiny.

Work by Thy spirit through them and upon this Nation and our world that the energies of man may be turned from all that is destructive and be dedicated to peace and good will.

Give, we pray, the comfort of Thine assured presence to families and friends of those who have transferred citizenship from this world to another, especially the Members of this body who mourn the passing of a fellow Member. Through Jesus Christ, our Lord. Amen.

THE JOURNAL

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

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Arrington, one of its clerks, announced that the Senate had passed without amendment concurrent resolutions of the House of the following titles:

H. Con. Res. 771. Concurrent resolution for the printing of environmental report;
H. Con. Res. 790. Concurrent resolution to provide for the printing of 5,000 additional copies of parts I and II of the hearings before the Special Subcommittee on Education of the Committee on Education and Labor entitled "Discrimination Against Women"; and
H. Con. Res. 797. Concurrent resolution directing the Clerk of the House of Representatives to make a correction in the enrollment of H.R. 4605.

The message also announced that the Senate had passed a resolution of the following title:

S. RES. 500

Resolved, That the Senate has heard with profound sorrow the announcement of the death of Honorable L. Mendel Rivers, late a Representative from the State of South Carolina.

Resolved, That a committee of two Senators be appointed by the Presiding Officer to join the committee appointed on the part of the House of Representatives to attend the funeral of the deceased Representative.

Resolved, That the Secretary communicate these resolutions to the House of Representatives and transmit an enrolled copy thereof to the family of the deceased.

Resolved, That, as a further mark of respect to the memory of the deceased, the Senate do now recess.

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

S. 437. An act to amend chapter 83 of title 5, United States Code, relating to survivor annuities under the civil service retirement program, and for other purposes.

The message also announced that the Senate had tabled the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 17755) entitled "An act making appropriations for the Department of Transportation and related agencies for the fiscal year ending June 30, 1971, and for other purposes."

And that the Senate disagrees to the amendment of the House to Senate amendment No. 14 to the above-entitled bill.

And that the Senate further insists upon its amendments to the above-entitled bill, disagreed to by the House and requests a further conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. STENNIS, Mr. MAGNUSON, Mr. PASTORE, Mr. BIBLE, Mr. PROXMIER, Mr. CASE, Mrs. SMITH, Mr. ALLOTT, and Mr. COTTON be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the further report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H.R. 19590) entitled "An act making appropriations for the Department of Defense for the fiscal year ending June 30, 1971, and for other purposes."

The message also announced that the Senate agrees to the amendments of the House numbered 14, 26, 31, 49 and 53 to the foregoing bill.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 1626) entitled "An act to regulate the practice of psychology in the District of Columbia."

INJURIES TO JOE BARTLETT

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

Mr. KYL. Mr. Speaker, I have requested this time in order to relate some facts concerning the recent injury to Joe Bartlett, the minority clerk of the House.

Mr. Speaker, Joe Bartlett is hospitalized in Cleveland at Hillcrest Hospital, 6780 Mayfield Road, as the result of a serious automobile accident.

Mr. Speaker, Joe suffered a broken wrist, a broken arm, a broken collarbone and ankle, plus lacerations as well as a broken rib and punctured lung. The doctors say Joe is in serious condition but not in critical condition.

GENERAL LEAVE TO EXTEND FOR MEMBERS OF THE NEW YORK DELEGATION

Mr. CELLER. Mr. Speaker, I ask unanimous consent that all Members of the New York State delegation have 5 legislative days in which to extend their remarks on the matter of departing Members.

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

There was no objection.

[Mr. CELLER addressed the House. His remarks will appear hereafter in the Extensions of Remarks.]

Mr. ADDABBO. Mr. Speaker, as the 91st Congress prepares to adjourn, a number of our colleagues will be leaving the House of Representatives. Among our colleagues who will not be with us in the 92d Congress are several Members from the State of New York and I would like to take this opportunity to say a few words about those men with whom I have worked most closely this year and during previous sessions of Congress.

Mr. Speaker, I would like to take a moment to comment on a very special friendship which I enjoy with one of our colleagues who will not be with us in the 92d Congress. For the past 11 years, Congressman JACOB GILBERT has served in the House and since I was elected to this body 10 years ago we have been personal friends.

JACK GILBERT has always been a popular Member of the House, well liked by his colleagues and an effective Representative for his constituents. His record in the House is an outstanding one, including his service as a Representative of New York State on the Committee on Ways and Means and his active leadership in the House Democratic Study Group.

JACK will be returning to the private practice of law, with his New York firm opening an office in Washington next month. I join with his many friends in wishing him success and happiness in his work and I look forward to his continued stay in Washington.

LEONARD FARBERSTEIN has compiled an outstanding record of service in the House and he has exercised special leadership in the field of foreign affairs. LEONARD has served in this body for 14 years with consistent dedication to his constituents.

ADAM CLAYTON POWELL has achieved the status of being one of our more controversial colleagues on the one hand while also acquiring the reputation of being a master of the legislative process. As chairman of the important Committee on Education and Labor, he proved his value to the House and his ability as a leader.

RICHARD D. MCCARTHY is a shining example of the changes which can be brought about by working within our system. Max has earned a place in history by his campaign against the use of germ warfare and his individual oversight activities in this field.

RICHARD L. OTTINGER made the environment an issue before it was the popular national cause and he broke all the rules in his freshman term by successfully sponsoring legislation to save the Hudson River from threatened destruction.

ALLARD K. LOWENSTEIN came to the House with as large a personal following as any Member ever elected to Congress and he will be leaving us with a much larger fan club. He has won the respect of all his colleagues by his responsible approach to our business and by his fight against insurmountable odds this past November.

The New York congressional delegation will always be a large, diverse, and important part of this body and those who are Members of our delegation will not be forgotten by their friends in Congress. We will miss them and we hope they will continue to see us often both here and at home. I join with my colleagues in wishing each of them success and well being in all their activities in the months ahead.

Mr. HALPERN. Mr. Speaker, one of the advantages of serving in a national legislative body is the opportunity of working with and getting to know colleagues of varied political, geographical, philosophical, and social backgrounds. It provides exceptional opportunity to observe, to understand, to respect, and to evaluate others. Such an opportunity is seldom matched in other endeavors.

Some colleagues stand out as giants. Some leave lasting marks of respect. Some leave lasting contributions. Some

leave their colleagues enriched for having served with them.

For one to leave all this heritage is rare indeed. But such an exceptional man is AL LOWENSTEIN, who for the past 2 years has represented New York's Fifth District, the neighboring district to my own Sixth.

The fate of political fortune has charted AL's course to new directions. But the impact he made in this body will be everlasting.

As one who has grown to love this wonderful human being, this brilliant legislator, this outstanding American, I want to join my colleagues in paying tribute to AL and to wish him well in whatever course he charts in the years ahead.

Whatever undertaking he assumes, we who know him can be sure he will be heard and will succeed through sheer excellence, courage, and genuineness—for this sums up AL LOWENSTEIN.

Of course, AL is controversial. That is the mark of greatness. But he is the most respected opponent or adversary I have ever observed. I marvel at his warmth, his patience, his understanding, his brilliance, his loyalty, his tolerance, his scope of knowledge, his dedication to principle, his ease, despite an unbelievable pace of activity, his humor, and his kindness.

I shall miss AL here. But this will be balanced by anticipation of other contributions by AL toward the better America he envisions and toward which he is completely devoted. Good luck, AL, my friend.

PERSONAL ANNOUNCEMENT

Mr. DULSKI. Mr. Speaker, I was absent from the House during part of December 21 and all of December 22. I missed several rollcalls. Had I been present and voting, I would have been recorded as follows:

Rollcall No. 438; "nay"; rollcall No. 439, "yea"; rollcall No. 441, "yea"; rollcall No. 442, "nay"; rollcall No. 443, "yea"; rollcall No. 446, "yea"; rollcall No. 447, "yea"; and rollcall No. 448, "yea."

DOUBLE ANNIVERSARY

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

Mr. HECHLER of West Virginia. Mr. Speaker, today is a double anniversary. One year ago today, on December 30, 1969, the President signed the Federal Coal Mine Health and Safety Act—a landmark piece of legislation. Unfortunately, the enforcement of that law has not measured up to the intent of Congress. The current issue of Newsweek quotes a Bureau of Mines official as stating:

To be honest, the act is not being fully enforced, and probably won't be for some time.

They plead lack of trained inspectors, but I say to you the coal operators in their pellmell effort to cut corners and

step-up production have contributed to the death toll in the coal mines.

This year, 166 miners have been killed and 3,255 injured since the new Safety Act provisions went into effect in April, as contrasted with 155 deaths and 3,165 injuries in a comparable period in 1969.

Today marks another anniversary.

On the night of December 30, a group of men stalked a fieldstone house near Clarksville, Pa. Christmas cards were in the window. The men cut the telephone lines, took off their shoes, and stole upstairs. With a .38-caliber revolver, they shot in the head and killed a fine young woman, a social worker, a graduate of West Virginia University, Miss Charlotte Yablonski. Then the cold-blooded murderers went into an adjoining bedroom. First they murdered Mrs. Margaret Yablonski, wife of Jock Yablonski, a wonderfully sensitive woman, who had written a number of plays which had been produced on the stage. The killers cut down Jock Yablonski with a hail of bullets.

The shock of these killings has worn off. The killers have not yet been brought to trial. Still unanswered is the question: Who put up the blood money to hire the killers? The top leadership of the United Mine Workers of America is back at its old game of stealing elections and intimidating those miners who are working for a clean union.

Meanwhile, little or nothing is being done about the corruption and outright flouting of the law by the temporary top leadership of the United Mine Workers of America. Miss Antoinette Boyle still holds her job—doing nothing for \$40,000 per year. After the crookedest election in labor history in 1969, the Department of Labor went to court 9 months ago to void the election of Tony Boyle, on grounds of election irregularities, but the Labor Department has done nothing to press its case. The Labor Department has supinely refused to intervene in the suit to clean up the UMW Welfare and Retirement Fund, has refused to enforce the reporting provisions of the Labor-Management Reporting and Disclosure Act, has failed to press to trial the 6-year-old court case against UMW trusteeships, and waited until after the district 5 election was over before moving in to impound absentee ballots which had been tampered with.

Meanwhile, where is the conscience of this Congress?

Over 6 months have passed since the Senate Labor Subcommittee, funded to investigate the UMWA, has held a hearing. Where is the conscience of the House of Representatives, which has done nothing to stop the corruption and violations of the law by the United Mine Workers of America, at the expense of those who labor and get killed daily in the bowels of the earth?

One year ago tonight, Jock Yablonski paid with his life for his efforts to clean up the United Mine Workers of America. How long will the coal miners have to wait before they have the right to be represented by a union which obeys the law? How long before the Congress wakes up to its responsibilities and demands

that the Department of Labor enforce the law? How long, Oh, Lord, how long?

The following articles from the January 4, 1971, issue of Newsweek and the January 1971 issue of Fortune magazine are very revealing:

[From Newsweek magazine, Jan. 4, 1971]

COAL'S HOLLOW PROSPERITY

Judy Henderson remembers the day all too vividly: she packed a lunch for Paul, her husband of nine months, kissed him good-by and watched him trudge off into the early morning darkness to his job at Consolidation Coal Co.'s No. 9 mine in Farmington, W. Va.

She never saw him again. With 77 other miners, Paul Henderson was killed on Nov. 20, 1968, when a massive explosion and fire roared through the mine. His 23-year-old widow, too ill to work, now lives on \$90 a month from the West Virginia Workmen's Compensation Fund and \$75 a month from the United Mine Workers Union. Mrs. Henderson managed a few months ago to scrape up enough money to buy a headstone for her husband's grave, although his body still rests 600 feet deep in Consol No. 9. She also bought a Christmas tree this year, the first since her husband's death. "I guess you have to go on living," she told a visitor one day last week.

Judy Henderson's mood of weary resignation is the mood of Farmington this holiday season—and indeed, the mood of most of the coal towns that spot the rolling hills of West Virginia and western Pennsylvania. Despite all the work a miner can handle at \$35 a day, there is a feeling that the men and their families are still objects of abuse, exploitation and callous neglect—by their own union as well as the mining companies. The uneasy knowledge that another Farmington disaster could occur at any time is on every miner's mind; even the U.S. Bureau of Mines admits that, so far, the widely heralded Coal Mine Health and Safety Act of December 1969 has had "no discernible" effect on the number of deaths and injuries underground. And a full year after the murder of the popular Joseph (Jock) Yablonski, the unsuccessful challenger of iron-handed W. A. (Tony) Boyle for the UMW presidency, no one has yet come to trial.

Although five defendants are in jail awaiting trial, there is a widespread conviction that those really responsible for Yablonski's death are still at large. In addition, his supporters contend, Yablonski's death made no difference in the way the UMW is run. Just three weeks ago, they charged that a Boyle supporter, Michael Budzanoski had tried to steal the election for the directorship of UMW District 5, which encompasses western Pennsylvania's coal-mining counties.

For once in their troubled history, the miners' bitter mood can't be traced to economic privation. Indeed, the industry has seldom been in better shape. The much-bruited fuel shortage that as recently as six weeks ago was threatening the nation has turned out to be a mirage—yet the mere threat helped to boost prices to near-record levels. Coal used in the steel mills, for instance, has soared from \$6 a ton last winter to \$16 a ton last week. At the same time, exports and domestic demand both are rising; production this year will run to more than 590 million tons, 30 million more than last year and the highest since 1947. As a result, new jobs are opening up all the time. Dozens of small mines, closed down soon after the safety bill passed because of the supposedly prohibitive costs it imposed, have now reopened.

MOONSCAPE

And the rising prices have made strip mining for shallow low-grade coal close to ground

level profitable across huge stretches of southeastern Ohio. In Belmont County for instance, the "Gem of Egypt"—a monstrous shovel 100 feet high gulping with 10,000 horsepower—is methodically peeling the surface from acre after acre, leaving a shattered moonscape in its wake. Ten years ago, an estimated 29 percent of the nation's coal came from strip mining. The figure this year will be 35 percent. Yet such is the demand that traditional pits still have all the work they can handle.

For all their prosperity, however, the coal men remain haunted by death—and the Farmington tragedy remains the symbol of their fears. Consolidation Coal long since agreed to pay a \$10,000 death benefit to the families of each of the dead miners. It then proposed to seal up a portion of the mine in which the explosion and fire occurred and build a monument in memory of the 73 miners whose bodies have still not been recovered. At that point, the U.S. and West Virginia Bureaus of Mines, joined by the UMW, stepped in. They argued that sealing off a large section of the mine permanently would mean that the cause of the disaster would never be known. "Our position is that we want the right to investigate," a Federal official explained.

Despite the loss of compensation, some widows of the dead miners agreed and asked that any agreements they had made with Consolidation Coal be voided. "From the very beginning," Judy Henderson told Newsweek's Tom Joyce, who spent last week touring the coal country, "I was against the agreement with Consolidation. I want my husband's body found so he can have a final resting place. And I want an investigation, so this kind of thing won't happen again."

DEATH TOLL

It could indeed happen again, despite the health-and-safety bill which is supposedly designed to cut the chance of underground fire and explosion. So far this year, 209 miners have lost their lives, compared with 203 in 1969, before the law was passed. During the first six months of this year, 5,875 miners were hurt, compared with 5,410 for the same period last year. "To be honest," a Bureau of Mines official conceded, "the act is not being fully enforced, and probably won't be for some time. We have a serious manpower problem, and inspectors can't be in the mines every day." To enforce the law, the bureau says it needs 1,000 inspectors; it has only 406, and 178 of these are still in training.

Just how many deaths and injuries can be traced to a failure to enforce the new law can only be guessed. However, the miners themselves argue that in all too many cases, mine operators break or bend the law daily in their zeal for production. John Leavor, a veteran of 40 years in the mines near Belle Vernon, Pa., noted that the law calls for installation of large pieces of canvas-like material called brattice cloths to direct the flow of fresh air. "The operators don't pay any attention to that," he said last week. "When the inspector comes, they keep him waiting up on top until there is time to roll the cloths down. Then when the inspector leaves, they roll them right back up again. All they are interested in is getting out the coal." For their part, the operators maintain they are complying with the law; in fact, they say, the 20 per cent average increase in the price of coal this year is due in large part to the cost of implementing the safety law.

Mine safety was a keystone of Jock Yablonski's ill-fated campaign for the union presidency—a race that preceded by only a few weeks the gunshot murders of the grizzled former miner and his wife and daughter in their Clarksville, Pa., farmhouse. A woman and four men, one of them a former UMW official in Tennessee, have been charged with the Yablonski murders and will go

on trial in Washington, Pa., probably next month. But Richard Sprague, a prosecutor from Philadelphia who will handle the government's case, does not believe the five defendants bear the ultimate guilt. "There are others behind this," he said last week, "and the case won't be satisfactorily concluded until we get the people who instigated the murders."

Meanwhile, Yablonski's short-lived crusade for reform within the mine workers' union is being carried on in Washington, D.C., by his two sons, Chip and Kenneth, and attorney Joseph Rauh. Early this year, under their prodding, the Labor Department filed suit to call a new election in the UMW, contending that there was fraud in the 1969 vote in which Jock Yablonski was beaten by Boyle. "But now ten months have passed and nothing has happened," Chip Yablonski complained bitterly last week at his desk in Rauh's Washington office. "It is clear to us that the Department of Labor is not pushing this case."

BRAWL

The Labor Department hotly disputes that charge, and there is no doubt that it is involved in the Budzanoski election battle—a brawl that pretty well sums up the union's style in politics. Some months ago Louis Antal, a 50-year-old miner from a village near Pittsburgh, announced that he would run against Boyle's man, Budzanoski, for the \$22,000-a-year district director's job. Seeing their man threatened, the Boyle administration promptly announced that for the first time in the union's history, absentee ballots would be used—a move designed to capture the votes of nearly 6,000 retired miners in the area, many of them loyal to Boyle for fear of losing their \$150-a-month pensions.

With all but the absentee ballots counted several weeks ago, Boyle and Budzanoski were stunned: Antal, backed by the Yablonski brothers and their rapidly growing Miners for Democracy, led by 514 votes. Still, Budzanoski was confident that the absentee ballots would pull him through.

They have yet to be counted. On Dec. 14, the Labor Department moved in and impounded the ballots, backed by affidavits filed by Antal supporters, who said they had spotted District 5 secretary-treasurer John Seddon, a Budzanoski supporter, tampering with them. Budzanoski, who is under indictment already for allegedly falsifying union expense vouchers, says it is all a plot on the part of the Yablonski forces. "People are trying to make a martyr out of Jock and it burns me up," he stormed last week. Countered Antal: "The fact that Budzanoski tried to steal the District 5 election and he got caught." The election results, meanwhile, are awaiting a decision by the Labor Department on the validity of the absentee ballots.

To the miners themselves, the union politics and the safety issue are fused in a bitter perception as old as the pits themselves: that their lives and labor are worth no more than the price of coal. "Tony Boyle never did anything for us," says one of the widows of Consol No. 9—and a survivor of that holocaust adds: "We are tired of getting killed and hurt when all the operators care about is production."

[From Fortune magazine, January 1971]
ANARCHY THREATENS THE KINGDOM OF COAL
(By Thomas O'Hanlon)

From the dirty dogholes in the Appalachian Mountains to the vast strip mines in Illinois, there is a resurgence of prosperity so unexpected and spectacular as to give the impression that coal is once more king. Prices have increased 50 percent over the past year as utilities rushed to sign lush long-term contracts and foreign buyers bid frantically for shipments. Only a decade ago, coal was almost written off as a competitive fuel in the production of energy, but now the in-

dustry has embarked on a capital-spending program that will double capacity by 1980. That cold cash affirms the operators' belief that there has been a big change in the national energy policy. They like to point to a recent statement by Gene P. Morrell, deputy Assistant Secretary of the Interior, that the federal government now views coal as "the cornerstone of our energy philosophy for the coming generations."

There was a time when the coal operators could have built confidently on such a foundation, armed with the knowledge that they would be supported by the most powerful institution in the business, the United Mine Workers of America. Ever since 1950, when John L. Lewis first signed a national contract with the Bituminous Coal Operators Association, the union has called the signals for the industry. In return for that contract, which included payment of royalties into a welfare and retirement fund, the U.M.W. has allowed the operators to replace 300,000 men with giant mining machines.

In the past two decades the aims, interests, and policies of the union and the companies became inextricably intertwined. The voice of the union in Washington was the voice of the industry, and the threat of a strike in the coalfields disappeared from the land. Convinced that the union had an obligation to bring stability to an ailing industry, Lewis opened the union's vast treasury to men like Cyrus Eaton who wanted to consolidate the small companies that made up a fragmented industry into a few giant corporations. The Mine Workers' muscle and manpower were used to drive the small independent and non-union operators out of business, thereby helping the big companies grab the lion's share of the coal business. "The union that once protected the men from the bosses has become the union that protects the bosses from the men," says Monsignor Charles Owen Rice, a Pennsylvania clergyman who is the confidant of many union men.

Now the operators can no longer look to the union to provide stability and industrial peace. Lewis retired as head of the union in 1960 (and died in 1969), and the man who is now president, William Anthony (Tony) Boyle, has lost control of his membership. The rank-and-file miners are hopping mad, and there is no union man so militant as a miner who feels wronged. The causes of dissatisfaction have been there all along, but only recently has the suppressed anger erupted in a rash of wildcat strikes. Unlike other blue-collar men, the miners are not primarily concerned with higher wages. The age of the average miner is around fifty, his job is one of the most hazardous in industry, and he is consumed with anxiety about an old man's problems. Pensions, health, and safety are issues so close to a miner's heart that he will strike for them at the sight of a single picket sign, whoever carries it. Many miners feel that Boyle and the other international officers have been far too cozy with the mine operators and almost totally insensitive to their needs.

MURDER ON COMMAND?

The problem of dealing with a work force that is no longer under union discipline would be difficult enough for the companies. But they are now faced with the prospect of signing a new contract on October 1 with a union president whose mandate to hold office is questionable, to say the least. A year ago Boyle was re-elected, but the Department of Labor has moved in federal court to invalidate the election, charging that the Boyle ticket used fraud and intimidation to ensure its return to office. Three weeks after the election, Boyle's opponent, Joseph A. Yablonski, was murdered, along with his wife and daughter. The assistant district attorney who will prosecute five people now under indictment in Pennsylvania for the murders believes that high union officials ordered the slayings. The Yablonski mur-

ders solidified the anti-Boyle forces, which are now grouped together as the Miners for Democracy. Should Boyle still be in office next October, when the U.M.W. contract expires, it would come as no surprise to people in the industry if violence and wildcat strikes brought production in the coalfields to a halt.

The coal companies must also wrestle with the serious consequences of a decision Boyle made in 1969 in order to ensure his re-election. Unlike any other international union, the U.M.W. permits retired miners to maintain their membership and vote in the presidential election by paying dues of \$1.25 a month. Some 70,000 men receive pensions, and Boyle made a naked pitch to these retired voters by forcing through a \$35-a-month increase in pensions only twenty-four hours after he had been appointed as a trustee of the welfare and retirement fund (succeeding John L. Lewis, who was the union's trustee until his death). In the presidential balloting, Boyle was supported by only a bare majority of the working miners, but received 87 percent of the pensioners' votes.

That pension increase placed the fund in jeopardy, for the miners' fund is a pay-as-you-go operation, supported solely by the royalty payments of 40 cents a ton from unionized coal companies. Boyle knew full well at the time he engineered the increase that disbursements to retired members already exceeded income by some \$28 million. Most of the coal operators were not informed about the increase, and shortly after the action became known the industry-appointed trustee, George L. Judy, resigned. At the direction of a Senate labor subcommittee, the General Accounting Office made a study of the fund and concluded that under the existing arrangements the fund will be insolvent by mid-1975. The G.A.O. report said: "It is our opinion that the \$35-a-month increase in pension benefits should not have been made without definite arrangements for obtaining additional income."

BLACK LUNG AND BLACKOUTS

An issue of equal magnitude, one that the coal operators cannot analyze in financial terms, now confronts the industry: namely, the enforcement of the sweeping federal coal-mine health and safety act that was passed last year. In essence, that act seeks to give maximum protection to miners, not only from underground gas explosions and roof falls, but from the health hazards of mining coal. For the first time miners are now able to seek federal compensation for the most serious occupational hazard, pneumoconiosis, commonly known as black-lung disease. The federal government will meet the costs of such claims until January 1, 1972, when the coal industry will assume the burden. Thus far, 229,000 miners and widows have applied for compensation and 60,000 claims have been granted, with payments ranging from \$144 to \$280 a month. Nobody is yet in a position to estimate the full extent of the compensation load that the coal companies face.

The safety provisions of the federal statute may force the industry to devise entirely new ways of mining coal. To minimize the risk of contracting black-lung disease, the law mandates that by 1972 workers in underground mines should not be exposed to more than two milligrams of coal dust per cubic meter. Three-fourths of all miners in Kentucky now fail to meet that standard; indeed, miners there are inhaling up to eighteen times the acceptable amount of coal dust. And industry experts estimate that, if the law is strictly applied, about 40 percent of all the underground mines in the nation will be closed. Should that come to pass, American industry and consumers of electric power will face the most severe rationing in history, with the distinct possibility of lengthy total blackouts.

The coal-industry executives cannot tackle these complex problems with assurance until the power struggle in the union is settled. Not until a stable, responsible union leadership is democratically elected will it be possible for the coal companies to adopt policies that are acceptable to both union factions. It is easy to understand why the industry leaders are unwilling to take sides publicly with either faction. A pat on the back for Boyle would lead to wildcat strikes by the rank and file; public endorsement of another candidate could be the kiss of death, given the miners' conviction that there is a conspiracy between the companies and the union leadership. But in private, top executives in the coal industry are trying to come up with a formula that would bring peace to the coalfields.

That will be no easy task, for two distinct points of view divide the members of the Bituminous Coal Operators Association, which represents most of the unionized companies in bargaining. The old hands in the business are convinced that the miners are an anarchistic lot by nature, and would be given to irresponsible actions without strong, even dictatorial leadership. One old-timer, who has clinched many a confidential deal by only a handshake with the union's president, says flatly, "I know this is heresy, but if I had my druthers the last thing I would want to see is a union run under complete democracy. It would be complete chaos. Who would I deal with if I couldn't go to Mr. Boyle and say, 'Let's settle this'? If you get the right guy at the top, democracy doesn't matter."

This attitude, a combination of cynicism toward the miners and obsequiousness when confronting Boyle, shocks the executives of those large corporations that have acquired coal companies in the recent past. Only a few independent coal companies, such as Pittston, remain among the top ten producers. The others have been taken over by such giants as Kennecott, Occidental Petroleum, Standard Oil of Ohio, and Continental Oil. For the men who run these corporations, hard bargaining at arm's length with responsible union leaders is as much a part of life as drawing up the annual budget. But the Byzantine collective bargaining in the coal industry, where a handful of men drew up the contract, the intricate deals that left the union holding life-and-death power over a company, the ludicrous grievance procedure that often ended with the president of a coal company and the president of the union dickering over the reinstatement of a man who was fired—that pattern of industrial relations is anathema to these executives.

Not until the bitter election campaign and the murder of Yablonski did they pay much attention to the day-to-day activities of their acquisitions. "We were like everybody else, I suppose," admits one of these men. "We tended to say to the coal people, 'Just keep those dividends rolling in.' But when we began to look closely, we found the most damnable things. If another union won bargaining rights in a strip mine, we had to pay double the royalty rate to the miners' pension fund. We found the coal-company people calling the miners 'the union employees' and everybody else 'company employees.' And then, after an actuarial study, we found that we could provide comparable pension benefits at a cost far lower than the 40-cents-a-ton royalty we're now paying. I've never seen anything like it. The coal people talk about Tony Boyle as if he was God."

The affairs of the United Mine Workers are so tinged with scandal that the Department of Labor may move to place the union under the supervision of a court-appointed monitor. There is precedent for such a drastic course of action; beginning in 1957 monitors supervised the Teamsters Union for more than three years. But that would be only the first of a series of steps to restore democ-

racy to the union, and make it a responsible partner in collective bargaining. A method must be found, agreeable to both union and management, to separate the welfare and retirement fund from the internal politics of the union. That can be achieved by the appointment of trustees responsible only to the union membership and would clear the air for honest bargaining over royalty payments. Finally, a fair election under government supervision must be conducted as soon as the litigation involving the present union leadership is concluded. Otherwise, the prospects for industrial peace in the coalfields are dim indeed.

"THEY'RE OUT TO GET TONY BOYLE"

Sitting behind John L. Lewis' formidable desk in the Washington headquarters of the U.M.W., Tony Boyle still manages to affect an air of bravado. "If people out there are askin' about me, you can just tell 'em that Tony Boyle is doin' all right," he says. "Why, if I didn't tell my wife to cut down on the calories, I'd be puttin' on weight. And you tell them operators that come contract time, they'll be dealin' with me."

There is something about adversity that brings out the juices in a labor leader. Mike Quill was at his belligerent best when he was about to serve a prison term for calling a New York transit strike. Jimmy Hoffa performed with élan while the Justice Department's anti-Hoffa squad was closing in on him. Boyle luxuriates in his sense of martyrdom. "They are not to get Tony Boyle," he says with satisfaction. At various times "they" have been identified as the Communist party, the coal operators, smart alecks from the news media, and mysterious outsiders who are plotting his downfall. Up and down the coalfields, Boyle's men are spreading the message. The boss is being martyred, the Union must hang together.

When he is in Washington, Boyle is chauffeured to his office from a modest home where he has lived almost twenty years. The diminutive, dapper president doesn't look his sixty-six years; he is immaculately tailored and trim as an athlete. An audience with Boyle is a ritual affair. With dutiful solemnity, four members of the international staff gather around to bear witness. A visitor is led to a small table adjoining Boyle's desk where such corporation executives as George Love, now chairman of Consolidation Coal, and Harry Moses of U.S. Steel sat as supplicants when John L. Lewis used to make his interminable booming speeches about the future of the coal business. Not much has changed since Lewis' day in the immense two-story office that looks big enough to be used as a squash court. Boyle has propped a flag of Montana, his home state, in one corner, some mementos from mining conferences in another. A small picture of his grandson "Tiger" sits on a table.

UP FROM BALD BUTTE, MONT.

Away from this imposing setting, Boyle would be just another well-dressed labor organizer. Until the election last year he was an insignificant personality and often behaved that way. At breakfast one morning a waitress greeted him by name and Boyle turned to his companion, asking, "Now how in the hell does she know me?" For God's sake, Tony, you're a public figure now," was the answer. "You're on television, your picture is in the press and everything."

This is pretty heady stuff for a man who was born in a cabin in Bald Butte, Montana. Boyle's father had emigrated there from the Scottish coal mines and died of a lung disease when Tony was twelve. The boy found work in the coal mines, and when times were bad he labored as a hardrock miner. In 1940, after holding some local union offices, he became district president of District 27, which encompassed three western states, Montana, North Dakota, Wyoming, and Alaska. In those days this

was not an important position in the union hierarchy, for relatively little coal mining was done in the West. In 1948, Boyle was summoned to Washington by John L. Lewis as one of his assistants, and his brother Dick became district president. From that point on the Boyle family fortunes took a turn for the better. Boyle's salary as president of the union is \$50,000; Dick receives \$25,000, and Tony's daughter Antoinette, who lives in Billings, Montana, is paid \$40,000 a year by the union for legal services.

During the Fifties, Tony Boyle acted as a troubleshooter for Lewis, but he made no splash at union conventions and was seldom praised in the official union newspaper. When John L. Lewis retired he was briefly succeeded by Thomas Kennedy, a gracious and respected trade-unionist who had once been lieutenant governor of Pennsylvania. Kennedy, however, was gravely ill, and Boyle ran the union. When Kennedy died in 1963, Boyle automatically became president and was formally elected in 1964. While Lewis was respected by the coal operators and revered by most of the members, Boyle was something of an unknown quantity to the operators. "We didn't want him," says one company executive, "because he wasn't a patch on Lewis. But the old man had made his choice and we had to live with it."

It is no exaggeration to say that Boyle inherited the most powerful union in the nation. The Oil, Chemical and Atomic Workers Union could strike the oil and gas industry at will without substantially affecting the national production and distribution of energy. But the Mine Workers, declimated as it is, still has the power to cripple the electric-power utilities. Boyle, following Lewis' policy, has chosen not to exercise that power. He has cooperated with the coal producers and has made minimal demands in the contracts he has negotiated with the industry. Nor has he defended members of local safety committees from reprisals by mineowners. Boyle outlined his philosophy to a Senate subcommittee in 1969: "The U.M.W.A. will not abridge the rights of mine operators in running the mines. We follow the judgment of the coal operators, right or wrong."

SHOTGUNS AND SWEETHEART CONTRACTS

In a democratic union, Boyle would have been run out of town by the membership for that utterance. But he has inherited the dictatorial union structure that John L. Lewis created. Although the members can elect local officers, in only four of twenty-three districts can they elect their own district president, an inherently powerful office; Boyle appoints the other nineteen district presidents. A majority of the members of the international executive board, the policymaking body of the union, are Boyle cronies elected by a packed convention. In 1968 many of the delegates were from so-called "bogus" locals—i.e., locals with fewer than ten working members or those composed entirely of retired miners. As if this were not sufficient to safeguard the leadership, Lewis also made sure that the miners could not vote on contracts; they are automatically accepted by the rubber-stamp executive board. Many miners claim that a blacklist exists to prevent "troublemakers" from attaining union office.

Until recently, the unionized coal operators lived comfortably with this dictatorship. Districts that stepped out of line were automatically placed under the trusteeship of the international. Rebellions in the ranks were ruthlessly crushed. But for the small independent mineowners and nonunion operators who could not afford to pay royalties to the pension fund, the struggle during the Fifties and Sixties was fierce. One union insider says with disgust, "We didn't have organizers. We had men who went in with a stick of dynamite in one hand and a shotgun in the other. They just terrorized people into paying royalties and into joining the union."

The full story of this reign of terror may never be known, for, in the tradition of the

Molly Maguires, there is an unwritten law among miners that a brother never informs on a brother. But public testimony in a series of legal actions brought by small coal producers, charging that the union and the big coal operators conspired to put them out of business, makes it clear that the union used its power to favor those companies that paid royalties. For example, when efforts to unionize West Kentucky Coal Co. and Nashville Coal proved unsuccessful the union made loans of \$25 million to Cyrus Eaton, who then bought control of the two companies and merged them. No sooner was the merger completed than the 4,000 miners became union members and royalties flowed into the pension fund. Between 1954 and 1964, West Kentucky bid progressively lower on TVA coal contracts, driving the price per ton down from \$3.70 to \$2.90; as a result, its share of TVA business increased from 9.6 percent to 16.2 percent. This was a nice deal for TVA, but it drove small coal operators out of business and thousands of miners out of jobs.

Over the years the union has used its treasury to invest heavily in favored coal and coal-related businesses. One of the corporate vehicles that the U.M.W. has used to finance these deals is Lew-Mur-Ken Inc., named for John L. Lewis, Philip Murray, a mine-union officer who became president of the C.I.O. and Thomas Kennedy. At one time or another the union had substantial investments in coal-mining and coal-transportation companies such as Freeport Coal, A. H. Bull Steamship Co., and West Kentucky Coal.

It is all justified as being in the interest of the working members, since these investments will supposedly bring in substantial royalty payments Lewis, blunt as always, put the matter this way when testifying in one of the conspiracy cases: "I cannot sorrow for those pallid, underfed, ill-nourished operators of small mines who can't keep up with the economic procession. They can't live under the rule of competition as it now exists in this free-enterprise nation."

But the union is engaged in some ventures that do not quite measure up to Lewis' iron law of free enterprise. Some operators, in violation of the union's contract, receive most-favored-nation treatment. "Sweet-hearing does exist," says the president of one major coal company, "mostly among the small guys." The most common form of the sweetheart deal allows the operator to deduct royalty payments from the miners' daily wages. Any company that tries to escape the royalty clause is heavily penalized. For example, when Southeast Coal Co., a Tennessee operation, went nonunion and tried to continue marketing its production through Consolidation Coal Co., the union upped the royalty payment on Southeast's coal to 80 cents a ton. That action is now being contested in court.

MIXED BLESSINGS FOR AGING MINERS

In the hagiography of John L. Lewis, the creation of the welfare and retirement fund is treated with the veneration that Christians give the miracle of the loaves and fishes. The *United Mine Workers Journal* greeted the plan with accolades like this:

"John L. Lewis, may God bless you,
You have put up a noble fight.
The aged miners and the widows
Send their blessings day and night."

Even Saul Alinsky, the aging radical, was swept away with enthusiasm. "Here in one sweep," wrote Alinsky in a biography of Lewis, "he wrested for his half-million miners that complete security that suddenly made life free from fear and filled with all the essentials for the pursuit of happiness."

The praise was premature. Not only is the fund approaching insolvency, as the General Accounting Office has pointed out, but is unquestionably one of the most poorly managed pension funds extant. In its twenty-year existence the trustees have received a total

of \$3.1 billion in royalties, but because the plan is unfunded the benefit levels have fluctuated greatly. Pensions have varied from \$75 a month to the current \$150. The ten hospitals that the fund built for the miners have been sold, and hospitalization benefits are now restricted. Moreover, only 70,000 miners are now receiving pensions; nobody really knows, but perhaps as many as 50,000 other miners have been arbitrarily denied pensions by the trustees, from whose decision there is no recourse.

When a Senate labor subcommittee asked Boyle last year to submit financial records of the pension fund, he did so with great reluctance. "It is our earnest solicitation," Boyle wrote to the subcommittee's chairman, Harrison A. Williams of New Jersey, "that this financial information be considered confidential because publication could conceivably operate to the detriment of the trust fund." It turned out that of the \$161 million in fund assets, some \$33,800,000, or 21 percent of the total, was placed in a non-interest-bearing account in the National Bank of Washington. The union owns 75 percent of the bank's stock, and on the board of directors sit Tony Boyle, U.M.W. general counsel Edward Carey, and two members of the pension-fund staff. In 1968 the fund had placed over \$70 million in non-interest-bearing deposits in the bank.

Eyebrows were raised in the Senate when Boyle revealed the common-stock portfolio of the fund, which is made up totally of seventeen electric-utility common stocks worth some \$39 million. Coal-mining subsidiaries of two of those companies, Duquesne Light and Southern Co., paid over \$2 million in royalties last year to the pension fund. Some of Boyle's assistants justify this investment policy as being in the interest of the working miner, since utilities are the largest coal consumers. Dissidents within the union speculate that it puts pressure on the utilities to buy coal from operators who are contributing royalty payments to the fund. Whatever the justification, the results have not been beneficial to the pensioners. As of April last year, the commonstock portfolio showed a loss of over \$5 million.

To Senator Claiborne Pell, a member of the Senate subcommittee, the whole business raised serious questions of judgment and propriety on the part of the trustees. At the very minimum, Pell wants changes in the present trusteeship. "I do not see how Mr. Boyle can fulfill all his responsibilities and still wear three different hats," says Senator Pell.

"I'M STRICTLY A NOVICE"

When Tony Boyle pushed through the \$35-a-month pension increase in June, 1969, he showed how the union dominates the pension fund. The fund is theoretically managed by three trustees—one from the union, one nominated by management, and a neutral. Boyle, of course, was the union trustee; Miss Josephine Roche, eighty-four, a long-time friend of John L. Lewis, who once approved a loan to a coal company owned by Miss Roche, was the neutral party; and George Judy, who was then chairman of the Bituminous Coal Operators Association, was the management representative.

On June 23, twelve days after Lewis' death, Boyle was appointed union trustee. The following day he summoned Judy to his office for a meeting. Judy later testified before a Senate committee that Boyle told him he wanted an immediate \$35-a-month increase in pensions. Said Judy, "Tony told me, well first he said that he was sure that he could get enough votes to pass this because, and he said, 'I have got Josephine Roche here in my pocket, a proxy.'" Miss Roche had been in a hospital with a hip injury at the time of the meeting. She told the Senate group that she had not received any notice of the meeting, and that had she been in attendance she would have voted against the increase. Boyle testified that he never claimed

to have Miss Roche's proxy. The Senators found this all quite confusing.

When the coal operators learned from their newspapers of Boyle's coup, they held a number of meetings in the office of the Bituminous Coal Operators Association. On July 14, George Judy resigned both his trusteeship and his post as head of the B.C.O.A. R. Heath Larry, vice chairman of U.S. Steel, who became chairman of the association, had discovered at these meetings that although Judy had committed the operators to the increase, no actuarial study of the pension fund had been made since 1948. Knowing full well that an increase in the royalty payment would be one of the first orders of business in the contract talks with the union, the operators then tried to get a firm fix on the future costs of the pension plan. To their astonishment, it transpired that none of the operators really knew the number of miners eligible for pensions under the existing rules. Boyle is equally candid in professing his ignorance. "When I go over there as a trustee," he says, meaning the headquarters of the fund, "I'm strictly a novice." The coal operators have now pushed the trustees to commission a group of actuaries to come up with some answers, fast.

SOME GUNS FOR HIRE

Nobody was more surprised than Tony Boyle when Joseph Yablonski decided to contest his re-election in 1969. In his thirty-five years as a union official, Yablonski had been a faithful servant, unswerving in his loyalty to Lewis and for a time subservient to Boyle. During the early stages of Boyle's re-election campaign in 1969, Yablonski traveled with Boyle and introduced him at rallies with that kind of syrupy praise that is standard rhetoric in the labor movement. (Boyle still presents visitors with recordings of Yablonski's words of praise.) As much as anyone, Yablonski knew the extent of the corruption in the union and the causes for dissatisfaction among the rank and file. The campaign was an agonizing experience for Yablonski, who was secretly mulling over the possibility of challenging his traveling companion.

On the weekends, Yablonski consulted with his two sons, Joseph, known as Chip, who was a lawyer for the National Labor Relations Board, and Kenneth, a lawyer in private practice in Washington, Pennsylvania. In one of these discussions Ken turned to his father and said, "What do you want it for? You're fifty-nine years old. Why not live in Washington and take it easy." The elder Yablonski, who had all along expressed fear of violence, said, "I've just got to do it. I just can't go into retirement and leave this situation behind." On May 29 he announced his candidacy.

The election campaign was marked by intimidation, bribery, and fraud of a style that has seldom, if ever, been witnessed in the labor movement. The Boyle faction appeared to have unlimited funds, while Yablonski had a budget of \$60,000. The *United Mine Workers Journal*, the official union newspaper, openly supported Boyle's candidacy, and Yablonski had to seek legal recourse in order to have his name printed. On several occasions Joseph L. Rauh, Jr., the respected Washington attorney who was representing Yablonski, appealed to the Department of Labor to monitor the election, but without success. George Shultz, then Secretary of Labor, testified before a Senate committee that he had found no grounds to intervene. "We know that for six months the killers were trailing my father," says Chip Yablonski. "They just never had the opportunity to pull the trigger during the election campaign because there were too many people around." It was not until after the savage murder of Joseph Yablonski, his wife, and daughter that Labor Department investigators went into the field.

In examining the election and the financial records of the union, the department dis-

covered that in 1969 the international had advanced \$2,100,000 to a number of districts without seeking documentary evidence to show how the money was spent. A typical ploy by the Boyle forces was to place miners and local officers on the payroll as "organizers." One miner, Anthony Dovshek, has testified that he was one of a group that was paid \$2,409 per man for a six-week period to organize, but most of the time was spent jolling around a Holiday Inn near Butler, Pennsylvania. In the course of its investigation, the government unearthed innumerable violations of the Landrum-Griffin Act. The union, of course, is contesting the department's legal moves to invalidate the election.

Among the five persons indicted for Yablonski's murder is Silous Huddleston, a retired miner who is president of a small local in Kentucky, which is part of the union's District 19. Between 1967 and 1969, government records show, that district received loans totaling \$908,000 for organizing expenses, although there is no record that the membership increased substantially during that period. Such facts are now becoming public as the F.B.I. attempts to trace the source of the reward money that was paid to Yablonski's murderers. Officers and members of the union in District 19 have testified before a grand jury, as have members in the adjoining District 28 in Virginia.

Among those testifying was Charles Minton, who has been questioned about a murder plot in the coalfields back in 1952. In that year Minton sued the United Mine Workers for \$350,000, charging that the union had conspired to fire him from his job. In his suit, Minton swore that he had dynamited mine installations on union orders, but that he balked when Tony Boyle ordered him to kill C. P. Fugate and Harry Turner, two nonunion coal operators. In his affidavit, Minton claimed that Boyle promised a substantial reward if he carried out the assignment and offered legal assistance and aid to his family if he was apprehended. That case was settled out of court and Boyle will not comment on the matter.

The trial of Huddleston and the other four defendants is scheduled to begin this month in a small courthouse in Washington, Pennsylvania, but the investigation will not end there. Richard Sprague, the assistant prosecutor in the case, was asked recently by a German TV crew whether others were involved in the murder. Said Sprague, "I think that these five are the hired thugs, so to speak, the assassins who carried out the plans of the people who employed them, and that for justice to be achieved it's crucial that we trace back the chain of command to the men on top who initially set this whole thing in motion." Asked if the chain of command would reach into the higher echelons of the union, Sprague replied, "The belief is that it leads into the higher-ups of the union."

AFTER BOYLE, WHO?

Despite Tony Boyle's protestations to the contrary, his power is diminished and the Bituminous Coal Operators Association is determined that now is the time to cut the union down to size. What bothers the coal executives not a little is that if Boyle is forced to resign, his successor under the union's constitution will be Vice President George Titler, seventy-five, a blustering West Virginia miner who is distrusted by many rank and files. The third man in the elected hierarchy is John Owens, eighty, who has been secretary-treasurer of the union since 1949. When Owens testified in federal court last year on matters involving the union election, the judge remarked, "For a man with twenty-one years in his job, the witness shows remarkably little knowledge of what goes on in the union."

It is a matter of common knowledge throughout the coal industry that Suzanne Richards, Boyle's executive assistant, is by

far the most influential member of the headquarters staff. A shrewd lawyer with a charming drawl, Miss Richards interprets contract language, interviews the top executives of the coal companies, gives directives to local and district union officials, and handles many of the administrative chores that Boyle finds so tedious. At one time it was rumored that Miss Richards would replace Josephine Roche as the neutral trustee of the pension fund, but she shrugs this off with a disarming smile. Since Miss Richards is not an elected officer of the union, she cannot succeed Boyle, although there are many who consider her qualified to hold the job.

A JOB FOR NEW LEADERSHIP

Meanwhile Tony Boyle sits under siege. The Senate subcommittee's investigation, which began last February, is continuing. Boyle and other top officers of the union now spend much of their time fashioning defenses against several legal actions. These include the Labor Department's attempts to invalidate the election and a suit by retired miners who claim that they have been deprived of pension and other benefits. And a new investigation is under way to determine the legality of political contributions by union officers. As the October 1 contract deadline draws closer, the need to resolve the fight for union leadership becomes more urgent.

If the working miners can elect a new leader in a federally supervised election, the union can turn in some new directions. Chances are that under new leadership the United Mine Workers would reaffiliate with the A.F.L.-C.I.O. Nobody would welcome this more than I. W. Abel, the president of the United Steelworkers Union, which has historical ties with the mineworkers. Since the big steel producers depend heavily on their captive mines for fuel, the last thing that Abel wants is to see his members furloughed because of strikes by the coal miners. The steel contract expires on June 30, but long before that Abel will be sitting across the bargaining table from Heath Larry, the chief negotiator for U.S. Steel. Neither man wants these talks to be subordinate to a power struggle in the miners' union.

The coal companies are not without blame for the mess, as many of their executives admit privately. They were quite willing for many years to see the union leaders ride roughshod over the members, and they handed over royalty payments without ensuring that the fund was administered in a fair fiduciary fashion. There are responsible men in the industry who know that a new pattern of labor management relations must be established if the coal industry is to prosper. It is a matter of paramount concern to the operators that over the next ten years about half the labor force will have to be replaced, and these young miners are not going to tolerate hazardous working conditions. Nor will they buckle under to a union that acts dictatorially to impose the will of its leader. Unless decent men from both sides can settle these problems, anarchy lies ahead.

SOCIAL SECURITY ACT

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

Mr. VANIK. Mr. Speaker, today the House will receive the Senate-passed Social Security Act with a request for conference. The Senate amendments to the House bill merit acceptance by the House en bloc. There is no need for conference or delay.

In the Senate version, social security benefits are increased 10 percent across the board as of January 1, 1971. Minimum benefits are increased from \$64 to \$100 per month. The aged, disabled, and

blind on welfare are provided a monthly minimum allowance of \$130 a person or \$200 per couple. Allowable retirement income is increased from \$1,680 to \$2,400. The proposal is actuarially sound and includes the best hopes of 26 million Americans who live on social security.

The failure of the House to pass this bill would irreparably scar the otherwise fine record of considerable achievement of this Congress. It would be a cruel blow to those on social security who have suffered most under inflation.

The prospects are dim for early action on this issue in the new Congress. The problems of reorganization and the controversy over rule changes—particularly closure—preclude final action before April 1. This would delay receipt of increased benefit payments until July.

We must make every effort to prevent this legislation from dying in this last week of the 91st Congress. It would be tragic and a mockery of parliamentary procedure if the House were denied the opportunity to accept or reject the Senate version.

THE REFUSE ACT PERMIT PROGRAM

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

Mr. HARSHA. Mr. Speaker, today I would like to call to the attention of my colleagues an action I consider one of the most dramatic and progressive steps ever taken by the Federal Government in the area of protecting our Nation's waters and in preserving part of the environment.

Recently, the President, working in cooperation with the Council on Environmental Quality and the Environmental Protection Agency, issued an Executive order which sets in motion a comprehensive program designed to make the most effective use of existing Federal antipollution legislation, the Refuse Act of 1899 and the Federal Water Pollution Control Act. This farsighted, innovative approach to the challenge of water pollution will enable the administration to employ enforcement mechanisms that are far more comprehensive and rapid than previous procedures employing only the Federal Water Pollution Control Act. In addition, this action will provide clear guidance to States and to industries regarding their responsibilities for cleaning up our waterways as well as a systematic, orderly means for obtaining compliance with water quality standards I would like to highly commend the administration for this program which meets many of the challenges of pollution control and moves toward preservation and revitalization of our precious natural resources.

The Refuse Act prohibits discharges into navigable waters or their tributaries in the absence of a permit from the Secretary of the Army through the Army Corps of Engineers. Under the act, the Army may issue such a permit, subject to terms and conditions, if the Secretary is satisfied that navigability will not be impaired. However, decisions of the U.S.

Supreme Court have construed the act as being directed at pollution as well as obstructions to navigation. Accordingly, in recent years a number of legal actions have been brought under the Refuse Act for water pollution control purposes in cases of discharges in the absence of a permit. The pending cases against mercury dischargers are an example. But up until now the corps has not given permits under this section of the act.

By signing the Executive order the President has initiated a nationwide program to use the Refuse Act as a major tool in the battle against water pollution. The Federal Government will require permits for all discharges into the navigable waters of the United States. This will provide the data necessary to evaluate and control pollution of the Nation's waterways. For those firms who are meeting or have developed plans to meet applicable water quality standards, the permit program will provide a degree of assurance unavailable under existing water quality programs. To those firms who are not making good faith efforts, the Refuse Act will provide a swift and comprehensive enforcement tool.

Under the program the Environmental Protection Agency and the States will review industries' plans and advise the corps on the steps needed to meet water quality standards. The active involvement of the Environmental Protection Agency assures that the Federal Government will speak with one voice on water quality matters.

The President's Council on Environmental Quality played a major role in bringing the permit program to fruition, providing guidance and coordination to the two agencies responsible for the program's implementation. I believe that the initiation of the permit program is a good example of the value of having a policy advisory organization on environmental matters in the Executive Office.

The Refuse Act permit program is a major undertaking that will involve the issuance of many thousands of permits and require effective working relationships between the Army and the Environmental Protection Agency on the one hand and the State water pollution control agencies on the other.

In view of the manner in which this program was planned, developed, and announced, I am optimistic that the implementation will be overwhelmingly successful. The administration has, indeed, taken a sensible, substantial step toward ending water pollution and saving the environment—a step that will be praised historically for generations to come.

ANNOUNCEMENT BY THE SPEAKER

The SPEAKER. Without prejudice to the consideration of legislative business later in the day, the Chair will recognize special orders.

TRIBUTE TO HON. ALBERT WATSON

The SPEAKER. Under previous order of the House, the gentleman from South Carolina (Mr. McMILLAN) is recognized for 60 minutes.

Mr. McMILLAN. Mr. Speaker, I want to join Congressman ALBERT WATSON's host of friends here in the House of Representatives in expressing our disappointment over the fact that he will not be representing South Carolina next year.

ALBERT and I, of course, belong to different political parties in South Carolina; however, I want to congratulate Mr. WATSON on his outstanding work with the House Security Committee. I have found Mr. WATSON to be a very effective legislator and during the years he has served as a Member from South Carolina I do not think there have been many times we voted differently on legislation that was being considered on the floor of the House.

Mr. WATSON gave up his seat in the House to run for the office of Governor this summer. He was defeated and, of course, will not be a Member of this body during the 92d Congress. I want to take this opportunity to wish Mr. WATSON success and good health during the future years and I hope he will do well in any of his future undertakings.

We will miss ALBERT and his lovely family here during the 92d Congress.

Mr. DORN. Mr. Speaker, I am pleased to join my colleagues in paying tribute to my friend and fellow South Carolinian ALBERT WATSON. ALBERT WATSON leaves this body with the respect and friendship of Members from both sides of the aisle because of his conscientious and diligent service.

ALBERT WATSON has had a brilliant career in public and in private life and, I predict, has many other accomplishments still to come. He served his Nation with distinction in World War II, serving with the Army Air Corps in the Mediterranean theater. After this wartime service, he won his degree at the University of South Carolina Law School, where he was a leader of the student government. To all of us in the Congress and in South Carolina who are familiar with AL's skill as a public speaker, it comes as no surprise that he was president of the honorary speech society at the university, nor that later on he was national chairman of the U.S. Junior Chamber of Commerce's Voice of Democracy program. We all know him to be a dynamic and effective speaker who is in demand for speaking engagements all over the Nation.

For many years, Mr. Speaker, ALBERT WATSON was associated in business with the Honorable Lester Bates, former mayor of our capital city of Columbia, and one of our State's leading citizens; my own brother has for many years been associated with Mayor Bates' progressive company.

Here in the Congress ALBERT WATSON has compiled a record of dedicated and courageous service. His colleagues in the Congress and the people of South Carolina respected the fact that, when he decided to affiliate with a party other than the one from which he had been elected to the Congress, he resigned his seat and offered himself to the people as a member of the other party. The people of his district responded to this act of good faith.

As an active member of House Internal Security Committee, formerly known as the House Un-American Activities Com-

mittee, AL has always supported this committee's efforts, under the outstanding leadership of Chairman ICHORD, to ferret out the fascists and the criminal anarchists who threaten our constitutional liberties. In this same general area of public safety ALBERT WATSON has served as his party's ranking member on the House Select Committee on Crime. In this capacity, he has expended many extra hours of work in bringing to the attention of the American public the peril that the increasing illegal drug traffic poses to all segments of society. Mr. Speaker, this is a problem that particularly disturbs me and for that reason I especially appreciate the work of ALBERT WATSON. He has been one of the leading voices, along with the great chairman of the Select Committee on Crime, my good friend from Florida CLAUDE PEPPER, in calling attention to this iniquitous national disgrace. AL has also made many valuable contributions to the vital legislation reported from the Interstate and Foreign Commerce Committee.

We will miss ALBERT WATSON, Mr. Speaker. To him and his lovely family we extend our warmest regards, and we predict for AL continued success in whatever field of endeavor he enters.

Mr. MANN. Mr. Speaker, I rise to express my best wishes to my colleague from the Second District of South Carolina, Mr. WATSON, who is returning to private life at the end of this session. Many Members have been helpful to me during this, my freshman term, and Mr. WATSON made a special effort to help me acclimate myself in the 91st Congress.

The citizens of South Carolina's Second District have been most fortunate to have a man with ALBERT WATSON's abilities as their representative. He has been a dedicated public servant for 15 years, both in Washington and in the South Carolina General Assembly. In the 91st Congress, Mr. WATSON has worked assiduously on several House committees, including Internal Security, Interstate and Foreign Commerce, and the Select Committee on Crime. The old cliché that he "does his homework" can be applied to Mr. WATSON, and he has earned the respect and admiration of his colleagues on both sides of the aisle.

I regret that Mr. WATSON will not serve in the next Congress, but I know that he will continue to be responsive to the needs of others and will enjoy success in any endeavor. I am happy that I can say that I know ALBERT WATSON, not only as a man, but as a friend.

His voting record has been a judicious combination of his own good judgment and the thought and philosophy of the people that he represents, always reflecting a conservative, patriotic position, always striving to promote the State of which we are all proud, but above all the interests of the country that we all love.

I am sure that my colleagues on both sides of the aisle join me in wishing ALBERT WATSON, "Godspeed." We will miss him. May he find satisfaction in his new endeavors.

Mr. MIZELL. Mr. Speaker, I rise to take this opportunity to pay tribute to my distinguished colleague from South Carolina, ALBERT WATSON.

As a Member of this body since 1963, he has consistently shown himself to be

a man of conscience, a man of personal and political courage, a man representative of the best qualities that characterize his district, the Second of South Carolina.

No one knows better than I the all-encompassing dedication to constitutional government that has been his guiding light in Government service. It has been my pleasure to work with him in a large number of projects whose central theme was the preservation of constitutional liberty and the rights of the States which gave this body birth, and which sustain it still today.

As he leaves his service here, he takes with him the sincere best wishes of all his colleagues and the proof of deep gratitude which we have sought to display on this occasion.

But ALBERT WATSON'S public service will not be finished until his life has also ended. He is that kind of a man. The people of South Carolina will know again, as they have known in the past, the worth of a tireless worker, the strength of a courageous and principled man, and the aid of a friendly neighbor.

I join with my colleagues in extending my best personal wishes for his success in the future, and in praising the significant achievements that have marked so much of his past.

Mr. BUCHANAN. Mr. Speaker, it is a privilege to join in paying tribute to our distinguished colleague from the State of South Carolina, the Honorable ALBERT W. WATSON. It is with sadness that we do so, however, for he shall be missed greatly in the 92d Congress.

In addition to the fine contributions which he has made to the work of the House of Representatives, ALBERT has served the citizens of South Carolina's Second Congressional District well during his 8 years as their Representative in the House.

Although originally elected to the House of Representatives as a Democrat in 1962, ALBERT WATSON has rendered fine service to the Republican Party since his reelection to the Congress as a Republican in a June 15, 1965, special election. It is significant that our colleague's change in party affiliation resulted from his independent adherence to the principles in which he believed. This dedication to principle led to ALBERT'S support of the Republican candidate for President in 1964 and ultimately to his transferral to the Republican Party.

Although ALBERT WATSON is a South Carolinian, at present my own State of Alabama is fortunate to be connected with the Watson family through another one of its members. ALBERT'S twin brother has been rendering outstanding service to the citizens of Alabama as pastor of one of the larger Baptist churches in Tuscaloosa, Ala.

I have both appreciated and enjoyed my association with my esteemed colleague from South Carolina, and regret his impending departure from the Congress. In all of ALBERT WATSON'S future endeavors, however, my heartfelt best wishes certainly go with him.

Mr. KUYKENDALL. Mr. Speaker, it is a privilege and a pleasure to be able to add my voice to those who have already paid tribute to our distinguished colleague from South Carolina.

I have admired ALBERT WILLIAM WATSON ever since I first took my seat as a freshman member of the Interstate and Foreign Commerce Committee. His legal mind has served his district and our Nation well, and I have always thrilled to watch it in action at the committee table or on the floor of the House.

In our Subcommittee on Transportation and Aeronautics, his grasp of the multifaceted problems that beset the transportation industry has amazed me time and time again. I learned quickly to look to him for guidance and counsel on the subcommittee, and I will miss the opportunity to do so in the coming Congress.

I do not need to tell any of you that his integrity and his expertise have earned him wide respect on both sides of the aisle. We who are members of his party and who usually agree with his positions know that they are founded on reason and justice; and those who find themselves in disagreement with him from time to time nevertheless respect his clear-cut logic, and know without question that when he states something as a fact, you can bet on it.

He has had a wide and full career as a public servant, and I am sure that career is nowhere near its end.

Mr. QUILLEN. Mr. Speaker, I join my colleagues in paying tribute to a man we all respect and admire, ALBERT W. WATSON, who will be leaving us when this second half of the 91st Congress comes to a close.

I certainly consider it a great personal privilege and honor to have served with him down through the years and I know there are many of his colleagues and associates who share my feelings.

My associations with ALBERT WATSON, both from a professional and personal standpoint, have been most amiable, to say the least, during the 8 years we have served together in the House.

He has been an inspiration to me and I am sure to others who have worked closely with him.

In the last election, he carried the banner for his party in seeking election to the high office of Governor of South Carolina. Unfortunately, he lost in this bid, but there is comfort in the fact that his opponent's victory was by a small margin.

So, in bidding farewell to ALBERT from the House of Representatives, we know that his political career is far from being ended. He is a bright star in the Republican Party and I know the future holds many important roles for him.

Those of us who are acquainted with Albert know that he possesses those rare and unique qualities of leadership seldom found in man. These qualities were acknowledged when he was named to the House Internal Security Committee, the Interstate and Foreign Commerce Committee, and the Select Committee on Crime. He has provided a very effective voice in all of these assignments, both for the people he represents and the colleagues who share his views.

To me, he is a great statesman, a great American, and a great Congressman. He has served his constituency in a most admirable and exemplary manner and I am confident that they will miss him as much as many of us will.

So, I take this opportunity to extend my best wishes to my good friend ALBERT WATSON, in his every endeavor in the years ahead.

Mr. BROYHILL of North Carolina. Mr. Speaker, as one who has worked closely with him over the years I am indeed sorry to see ALBERT WATSON leave the House of Representatives.

We were first elected to the House in the same year and have served on the same committee during the past 8 years. In that time, I have come to know ALBERT as a fine Representative of his district, a man who did his homework and was ever ready to help a colleague.

ALBERT is a tough man to go up against in a debate. On most issues I suppose we have been together, but whether for or against you, he's always the perfect southern gentleman.

ALBERT has many friends on both sides of the aisle. I want to join them in wishing him well. I know that he will be a success in whatever field of endeavor he enters—and who knows—he may be back in the House or Senate one day.

Mr. ICHORD. Mr. Speaker, I would like to take this opportunity to pay sincere tribute to a colleague who is leaving both the ranks of this House and the Committee on Internal Security, which I have the honor to chair—the Honorable ALBERT W. WATSON of South Carolina.

ALBERT WILLIAM WATSON, a personal friend as well as congressional teammate of mine, has a long record of distinguished service to his community, State, and country. It includes overseas duty in World War II, membership in the South Carolina general assembly and civic and church work as well as his tenure in this House.

Although AL WATSON sat on the minority side of the Internal Security Committee, he was a valued and dynamic member of it. I will miss him and his work when the committee resumes work in the 92d Congress. His successor, whoever he may be, will find he had a predecessor difficult to equal.

AL WATSON is a big man both in physical stature and mental capacity. He is the possessor of a keen legal mind, and those who had the good fortune to observe him at committee hearings never failed to be impressed with his ability to separate the chaff from the wheat.

Our distinguished colleague from South Carolina is a young man and most certainly has a long and brilliant career ahead of him whether he chooses private enterprise or further public service. Let us all, on both sides of the aisle, wish him well.

Those of us on the Internal Security Committee will carry a warm memory of AL WATSON for the rest of our lives.

TRIBUTE TO HON. RICHARD D. MCCARTHY

The SPEAKER. Under previous order of the House, the Chair recognizes the gentleman from West Virginia (Mr. HECHLER) for 30 minutes.

Mr. HECHLER of West Virginia. Mr. Speaker, I am very proud, as I know many of our colleagues are, to have been associated during the past 6 years with an outstanding legislator from Buffalo,

N.Y., Hon. RICHARD D. McCARTHY, who has performed great service on behalf of clean air, clean water, and almost singlehandedly was able to reverse the policies of this Nation on chemical and biological warfare.

As a Representative of the Fourth Congressional District of West Virginia, I merely wish to state that the people of West Virginia and the Nation are better off as a result of the accomplishments of our distinguished colleague. Whenever any issue relating to the protection of the environment arose, you could count on MAX McCARTHY to be in the forefront of the fight to preserve our environment. Whenever any consumer issue presented itself, MAX McCARTHY was out doing battle for the consumers of this Nation. He is a recognized champion of the underprivileged.

Many men in public life look to the sources of economic and political power to determine how they will take a stand on issues. Not so MAX McCARTHY; you could always count on him to be on the side of those average people who needed a public official to lead their cause, whatever the rewards or punishments.

He does not try to measure sources of political party or organizational power in taking his stands, which accounts for the strong bipartisan support which MAX McCARTHY always realizes. Yes, we will be hearing a great deal more of MAX McCARTHY both in and out of Congress. He was not defeated in a race for the House of Representatives, and I hope we may again share the rich experience of having him as a future colleague in the Congress.

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

Mr. HECHLER of West Virginia. I yield to the gentleman from Ohio.

Mr. VANIK. I want to congratulate the gentleman from West Virginia for taking this time to speak of the service of our colleague from New York (Mr. McCARTHY). MAX McCARTHY has been one of the foremost leaders of the struggle to protect and restore the environment. He was one of the first people to point out the great danger of moving poison and noxious gases and chemicals across the country. He has been vigilant in the cause of preserving the quality of life for those who succeed us in the use of this land.

Our districts have a common frontage on Lake Erie, where the problem of pollution is one of the most serious in the United States.

RICHARD McCARTHY has done a tremendous job of assisting in the program to prevent the dumping of polluted materials into Lake Erie by the various industries that operate both in his district and in mine. I think for this effort alone his service in this Congress has been one of the most valuable. It has been a tremendous contribution.

MAX McCARTHY made a vigorous effort to clean up Lake Erie and to restore vitality to our diminishing supply of fresh water, suitable for life.

MAX McCARTHY has made a valuable contribution to this Nation for which every American must be grateful. I know

that he will continue his efforts in the public service.

I am sure that we will continue to hear of his achievements in the future. His dedication to the public interest and to humanity will continue to reflect his fine character.

Mr. HECHLER of West Virginia. Mr. Speaker, I thank the gentleman for his comments.

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

Mr. HECHLER of West Virginia. I yield to the gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I congratulate my colleague in the well, the gentleman from West Virginia, for taking this time to pay tribute to a very hardworking Member of this House who have proven singlehandedly there is the mechanism within this institution whereby one man can make a significant contribution.

Very often as we read books about the Congress and hear discussions and debates, we hear people say that Congress offers great opportunity for an individual to be obstructive but very little opportunity for an individual to be constructive. DICK McCARTHY is one of those men who has shown that this is not quite true. This hardworking, determined, stubborn man almost singlehandedly has used the well of this House and the resources available to him through his office as a Member of Congress to change the whole policy of the United States in dealing with chemical warfare.

We have seen the fruition of his work even as late as yesterday, when the President announced a whole new policy in the use of defoliant in Vietnam. We can also see the critical results of some of those programs in the photographs of Vietnam and other places throughout the world.

It seems to me all of us owe a great debt of gratitude to Congressman McCARTHY for, indeed, he has proven the old adage that it is better to light one candle than to complain about the darkness.

When he started, it seemed he was fighting a hopeless battle, because there were great institutions and great pressures and powerful self-interest blocs arrayed against him, fighting him, questioning his motives and his loyalty and integrity. He held tenaciously to his cause, and he has set a course worthy for all of us to follow.

I would say as a footnote there, one great tragedy in this story about DICK McCARTHY. This is the cruelty of fate, for we see how fleeting indeed is fame when we realize here is a man who a very short time ago made the headlines all over the country and was the symbol of a new concept of dealing with poisonous gases. However, today we do not hear of him. He is not returning to the Congress. He ran for a higher office in New York and, I believe, came in third in the race. It does seem to me society has a tendency to be somewhat cruel with those who have had the courage to stand up.

It would be my hope that DICK McCARTHY will find a great deal of comfort in the knowledge that singlehandedly he

has written his own chapter in courage. He has made a formidable contribution that will outlive his years of service in this Congress. His family shall always find pride in the knowledge that MAX McCARTHY singlehandedly changed the course of American history. We are all the wiser simply because this man had the courage to stand up and sound the alarm when no one else would move.

Mr. Speaker, I congratulate my colleague, the gentleman in the well, for taking this time to pay tribute to a great man. I am certain MAX McCARTHY will be back in Congress some day and I am certain his return will be most welcome by all of us.

Mr. HECHLER of West Virginia. Mr. Speaker, I thank the gentleman from Illinois.

Mr. BURKE of Massachusetts. Mr. Speaker, will the gentleman yield?

Mr. HECHLER of West Virginia. I yield to the gentleman from Massachusetts.

Mr. BURKE of Massachusetts. Mr. Speaker, I wish to associate myself with the remarks of my esteemed colleague, the gentleman from West Virginia. He and I differ on some questions, but I believe we can find common meeting ground in the fine work that Congressman RICHARD McCARTHY performed while he served in this Congress. DICK McCARTHY is a young man who came here and was able to rise above all the noises and concentrate his attention into putting the glaring light of publicity on the environment. He was able to bring about many changes in the policies of our Defense Department and our Government. He is a dedicated and devoted public servant. I believe he is going now through a hiatus period.

I believe we can look forward to having RICHARD McCARTHY return to the scene of public office. This is just a beginning for him. Most of us experience setbacks once in a while. He reached out for a higher office. He made a good showing and showed that he had the confidence and faith of thousands of people in his home State of New York.

I join with my esteemed colleague from West Virginia, my colleague from Ohio, and my colleague from Illinois in congratulating the gentleman and for making this time possible today so that we could praise and bring to the attention of the public the great work of Congressman RICHARD McCARTHY.

Mr. HECHLER of West Virginia. I thank the gentleman from Massachusetts.

Mr. Speaker, I yield to the gentleman from Connecticut.

Mr. MONAGAN. Mr. Speaker, I join with the gentleman from West Virginia and those who have spoken in this testimonial to the congressional career of Congressman RICHARD McCARTHY. Certainly, in a relatively brief space of time, he has left his personal impact on the House of Representatives and on the operation of the military in this country, and this is indeed a substantial and remarkable accomplishment.

I believe the gentleman from Illinois (Mr. PUCINSKI) suggested something on which I should like to enlarge in connec-

tion with the career of RICHARD McCARTHY. He said that there was a cruelty involved in the fact that this career was cut short. I should like to say that there is an economical and social loss to the country in the fact that such a promising and constructive career has been nipped in the bud. I believe that we have to assume a certain responsibility as members of a political party for the fact that a tragic situation like this does develop.

Of course, to a certain degree it was his own choice, for leaving the House was his decision, and it was a voluntary action. At the same time, in other countries we find that political parties assume a responsibility for continuing the usefulness of people of the quality and character of RICHARD McCARTHY.

From the point of view of logic I do not believe he could have been faulted in his decision to run for the Senate in the State of New York, and I believe that if he had received the nomination he would have won. But logic obviously did not prevail in 1970 in the senatorial race in New York, or elsewhere, for that matter, and so his services were lost.

I, too, hope that this is a temporary cessation of his contributions to public progress in this country. I am confident that this is the case.

As he does leave this body he leaves with the affection and with the esteem of all Members of the House of Representatives.

Mr. HECHLER of West Virginia. I thank the gentleman from Connecticut.

Mr. Speaker, I should like to yield now to the gentleman from Iowa (Mr. SCHWENGEL) who serves with the gentleman from New York on the Public Works Committee of the House of Representatives.

Mr. SCHWENGEL. I thank the gentleman for yielding to me and giving me this opportunity to add to the eloquent testimony already made on behalf of the Congressman from New York, RICHARD McCARTHY, of Buffalo, N.Y.

I did have the pleasure—and it was a pleasure—to serve with him on the Public Works Committee. I have noted and agree with all the characteristics and virtues which have already been mentioned.

He has been referred as a gentleman. We tend to refer to each other as gentlemen rather liberally on the floor and sometimes with tongue in cheek, but no one does that when he speaks of RICHARD McCARTHY. He is a gentleman of high order, always considerate of the other fellow's feelings and the other fellow's rights. I suppose because he has this in large measure he reflects the interests of the people more effectively. I have observed this time and time again. It stands out in his performance and in his association with his colleagues.

His identification with and concerns about pollutants and especially as they relate to poisons, was mentioned here. His concern went far beyond that. I recall that in my fight on the big trucks bill I stood alone until he joined me, and after he joined me together we stood, and finally the majority of the Congress joined us, and indeed both candidates

for President that year joined us in our position.

Now Mr. McCARTHY was very faithful and aware of the people's needs in another area, and that is here in the Capitol where live some 800,000 people in the shadow of the finest symbol of freedom the world knows, the dome of the U.S. Capitol, and they now have a voice in shaping their own destiny. I joined with him in standing up for their rights and insisting that these people have their day in court especially as it related to the north central freeway. Again, we did not win in the committee, we did not win on the floor but, finally, our ideas prevailed. Because he led in this, we did not give up. So with the tenacity which he has displayed and his determination and with the background with which he approached the proposition and with his complete involvement when he gets involved, things happen. Right and justice finally prevails. We are going to miss him.

Mr. Speaker, this tribute by his colleagues is a very high compliment and probably one of the highest compliments we can extend to a colleague, is to say that he will be missed. Certainly, I will miss him, his colleagues will miss him, and Congress will miss him.

Mr. HECHLER of West Virginia. Mr. Speaker, I particularly appreciate the remarks of the gentleman from Iowa because this is another indication that the issues that Congressman McCARTHY has espoused are issues that frequently cross party lines, including the environmental and ecological issues, the trucking bill which the gentleman from Iowa mentioned as well as the problem of representation of the people of the District of Columbia and adequate representation of the people throughout the country.

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

Mr. HECHLER of West Virginia. I yield to the gentleman from Arizona.

Mr. UDALL. Mr. Speaker, I think it is well that the House take a few minutes to pay these tributes to a very fine patriot and outstanding legislator who will temporarily conclude his services here not later than Sunday.

Mr. Speaker, upon occasion I have cited the career of Representative McCARTHY to high school students as telling something very good and basic about our system. We hear the cynics say that one man cannot do anything. We are told that the world is too big and our country is too big and you cannot fight city hall. But, Mr. Speaker, MAC McCARTHY almost singlehanded turned this country around on a very fundamental policy, that of our developing and stockpiling biological and chemical warfare materials. This policy was wrong. As the result of the diligent efforts of Congressman McCARTHY the President of the United States and the Defense Department have agreed that we have no need for those weapons. As a result thereof hundreds of millions of dollars are being saved from our budget for defense. This represents a tribute to the tenacity of this one man that this change has been brought about. It does illustrate the fact

that one man can bring about change and that a man with the skill and perseverance of Congressman McCARTHY can do these kinds of things for mankind and the people not only of this country but of the world.

I say that this is a better world, a better legislative body, and a better country because this fine man served here these past 6 years.

Mr. Speaker, we have not seen the end of MAC McCARTHY in public service. He will be back. His name will be heard. He has a lot more to offer his country, his political party, and his State.

Mr. HECHLER of West Virginia. Mr. Speaker, I thank the gentleman from Arizona for his fine comments.

Mr. Speaker, in conclusion I would like to underline and emphasize the last words of the gentleman from Arizona that we will be hearing more from Representative RICHARD D. McCARTHY. He has certainly given new meaning to the old statement "One man can make a difference."

MAX McCARTHY was born in Buffalo, N.Y., on September 24, 1927, the son of Ignatius DePaul and Kathleen "Walsh" McCarthy. He received a B.A. degree from Canisius College in 1950. In 1957, he was married to Gail E. Coughlin, and their children include Richard Dean, Barry Walsh, Brendan, Maura, and Deirdre Evelyn. In 1952 and 1953, he served as a reporter on the Buffalo Evening News. He was assistant director of sales training of the National Gypsum Co. in Buffalo during 1953 and 1954, and served as its director of public relations from 1954-64. He served as vice president of the Greater Buffalo Development Foundation from 1957 to 1963. Serving as a member of the U.S. Naval Reserve in 1945 and 1946, he also served in the U.S. Army from 1950 to 1952.

MAX McCARTHY was elected to the U.S. House of Representatives from the 39th New York District in 1964, and reelected in 1966 and 1968. He ran in the U.S. Senate primary unsuccessfully in 1970.

It is significant that Representative McCARTHY is the distinguished author of the book entitled "The Ultimate Folly," published in 1969 by Knopf. The full title of this volume is "The Ultimate Folly: War by Pestilence, Asphyxiation and Defoliation." The descriptive material contained in the New Republic indicates:

This is a book about chemical and bacteriological warfare and the preparations for this which are being made in the United States. It starts with a description of the attempt to control chemical warfare after the First World War, and the development of a tradition of restraint which prevented the use of these weapons in the Second World War. McCARTHY then shows how this position was reversed beginning in 1956. This change in policy has resulted in a massive effort in research, production, and stockpiling of chemical and bacteriological weapons."

Kenneth Boulding, in a review of Representative McCARTHY's book in the November 29, 1969, issue of *The New Republic*, states:

This volume covers a subject of enormous importance. It does this without a wasted word, without an unnecessary epithet, and

without hysteria. The documentation is superb. At the end of every chapter the essential documents—and there are not very many—are reproduced in full. It can stand as a model of what writing on any serious subject should be like. It can be read in an evening and it should leave no reader unmoved. The United States and the world owe a great debt to Congressman McCarthy. It restores hope in our democratic system of government that a man like this can be elected to Congress.

Gordon Harrison, writing in *Book World* for November 30, 1969, observed: Congressman McCARTHY, a former newspaperman, has some suggestions for a return to sanity, suggestions most likely to be tried if an informed public is roused to back them. This small book should help. Written without hysteria, it is an important collection and analysis of the facts, the charges, the countercharges, the suspicions and above all the questions concerning the Pentagon's preparations to fight with gas and disease. "No one who cares about life, much less liberty, should miss it."

Under unanimous consent, I include several articles concerning Congressman McCARTHY:

[From the *Christian Century*, June 11, 1969]

TRANSCONTINENTAL "DEATH TRAINS"
LUCKY REVELATION

On May 7th Congressman Richard D. McCarthy, a vigorous young Democrat from upstate New York, revealed that the department of defense was planning to move 27,000 tons of World War II vintage poison gas from arsenals in Colorado, Arkansas and Maryland by rail to the naval ammunition depot at Earle, N.J. There the gas was to be loaded into two Liberty ships and dumped some 250 miles out in the Atlantic ocean.

McCarthy had first become troubled by the problem of chemical and biological warfare (C.B.W.) after viewing a television documentary on the subject. He held several meetings on C.B.W. with defense department specialists, asked numerous questions and received many unsatisfactory answers. In letters (which he made public) to the secretaries of defense and transportation he revealed that the army wanted to dispose of the gases because of a leakage problem. He expressed concern that the transportation department had relaxed its inspection procedures in issuing a special permit to the army. Only a few of the 16,500 cylinders were to be inspected for pressure points, though many dated back to 1942 and had become corroded.

McCarthy's statements became of interest to a number of congressmen when it was revealed that the trains carrying the poison gas across the country might pass through several large cities. Rep. Cornellius E. Gallagher of New Jersey was chairing routine hearings of the House foreign affairs committee's subcommittee on international organizations and movements when he learned that the trains would pass through Elizabeth, right in the middle of his district. He immediately informed his worried New Jersey colleagues that his subcommittee would now focus its attention on the ecological and international implications raised by the dumping of poison gas in case the high seas should become polluted.

CONTRADICTORY OPINIONS

A battery of witnesses appeared before the subcommittee. Brig. Gen. James A. Hebbler asked for a continuance to study the problem, but before he left he startled his questioners by revealing that 11 similar operations had already been carried out. Three had involved long-distance railroad shipments of poison gas to Earle—in June 1967,

June 1968 and August 1968. Hebbler told the stunned congressmen how the gas is dumped: you scuttle a liberty ship, load it down with the cylinders, tow it 250 miles east of Atlantic City and sink it.

Several days later Charles L. Poor, acting assistant secretary of the army in charge of research and development presented a report stating that sea burial was the least hazardous of the methods considered for disposing of the poisonous gas. He explained that the ships would be sunk at a depth of 7,200 feet; should any of the gas escape, it would take ten days for it to rise to the surface, during which time the water would neutralize it and render it harmless. When asked what kind of evidence he had for his statement, Poor said that few tests had been made but that the National Academy of Sciences was studying the problem and would hand in a report in two or three weeks. He said the army would wait until the report was completed before making a decision. Rep. Gallagher wondered why the defense department waited until the 12th shipment of gas before deciding that a review of the program was necessary.

Witnesses from the other departments kowtowed to the defense department line. Leslie L. Glasgow, assistant secretary of the interior for marine resources, said that while his department is opposed to dumping in general, it has concluded that the army's plan for getting rid of the gases is probably the safest. Under heavy fire from the subcommittee, Glasgow said he could find no scientists opposed to the operation; those he talked to said that the sea dumpings were absolutely safe.

Dr. Glasgow obviously had not talked with Steven Teitelbaum, a pathologist representing the St. Louis Committee for Environmental Information. He told the subcommittee that the best method of disposal "would be to render the gases harmless at the arsenals where they are now stored or at the places where they were manufactured." He added: "A slow leak in a tank might provide continuous contamination over a long period of time, even if the gas remained toxic for only eight days. We don't know where the dumping is to be done, and therefore in what direction and how rapidly the currents would carry the material. If the tanks ruptured on impact, tons of mustard gas might be released which might have a massive genetic effect on a variety of marine organisms. Much more should be known about the possible effects on marine life before such dumping is done." Meanwhile, Congressman McCarthy revealed that Louis Garano, chief engineer at the arsenal in Edgewood, Md., had told him that by burning the gas in disposal facilities available at every arsenal the army could get rid of it all in one year. This contradicts an earlier army estimate that such a process would require five years.

Representatives from the state department were called in to discuss the international implications of the problem. Having filed a list of 18 international agreements, each of which has a clause or article pertaining to the pollution of international waters, they proceeded to interpret them so broadly as to render them meaningless. When Gallagher noted that Article 25 of a 1958 convention forbade the spreading of radioactive and other harmful waste on the high seas, a state department lawyer focused his attention on Article 2, which stated that the United States should use "reasonable regard" in these matters. No doubt the "rule of reasonableness" is unilaterally determined by the U.S.

PRECEDENTS FOR ACCIDENT

The most pressing problem as far as congressmen were concerned was to keep the trains out of their states.

Genuine concern that an accident might occur was expressed. People from the trans-

portation department admitted that what amounts to blank permits are issued for a year or two at a time. The only time the defense department contacts the transportation department is when an accident occurs. The possibilities of such an accident are far from remote. On Feb. 19, 29 cars of a 120-car Chicago, Burlington and Quincy freight train went off the track at Crete, Neb., and toppled onto two cars of ammonia standing on a siding. The fumes drifted through the town and eight people were killed.

Assistant Secretary Poor also tried to assure the subcommittee that the poison gas trains would take the most extreme safety precautions. He said that technical teams, armed guards and medical experts would be on each train to provide maximum safety against the possibility of spillage, contamination or accident. Nevertheless, on May 14 a boxcar carrying 61 tons of high explosive ammunition caught fire and 40 millimeter shells began blasting off at Palmdale, Calif. Fortunately no one was hurt.

MORE TO COME

The poison gas controversy has stirred up a hornet's nest in a very complacent session of the House. Each representative is determined to route the "death train" out of his district. Gallagher has written to Secretary of Defense Melvin Laird asking that he postpone any action for another 60 days in order to give the respective departments a chance to study the matter more deeply. Having spent 14 years in the House, Laird understands the local pressures being applied to many of the congressmen. Nevertheless he appears to realize the long-range threat to the military-industrial complex. For the real significance of the poison gas controversy lies in its challenge to the defense establishment. Vietnam has soured most people on the credibility of the military. The discussions of the A.B.M. system suggest that Congress is going to make the defense department account for their spending like every other government agency.

Even if Laird should stop the shipment of poison gas, the Pandora's Box of discussions would continue. The subcommittee on international organizations and movements will review the international treaties dealing with water pollution. Rep. Henry Reuss of Wisconsin has opened hearings by the natural resources subcommittee on the possible danger of open air testing of chemical warfare agents. Accidents such as that in which 6,400 sheep died near an army nerve gas testing center will be discussed. (On May 21 Reuss's subcommittee wrung from army officials a statement that the army's denial that nerve gas killed the sheep was a mistake—the first time the army had publicly admitted its responsibility.) The Senate also intends to get into the act. Vance Hartke of Indiana will hold hearings on the Railroad Transportation act of 1969; he has asked Sec. Laird to bring samples of the agents that the army wants to ship by rail. (I won't be sitting in the room if the secretary accedes to the senator's request!)

Rep. Donald Fraser of Illinois summed up the situation very well: "There's no doubt about it. The defense department got caught with its pants down." Many observers predict that by the end of the year it may be looking for a new suit of clothes.

LANDOVER, MD.

LAWRENCE H. MADARAS.

[From *Parade*, *Washington Post*, June 22, 1969]

CHEMICAL-BIOLOGICAL WARFARE—CBW—WHAT YOU SHOULD KNOW ABOUT IT

(By Derek Norcross)

WASHINGTON, D.C.—One evening several months ago Congressman Richard McCarthy, 42, a Democrat from Buffalo, N.Y., was sitting with his attractive, honey-blonde wife Gall

in the living room of their suburban Maryland home.

They had just succeeded in putting to bed the last of their five children and were intently watching an NBC television program on chemical and biological warfare.

Gall McCarthy was horrified to learn that the U.S. was manufacturing poison gas and breeding germs that could annihilate entire populations.

After the program, Gall fixed her husband with an accusative look and said, "You're a Congressman. What do you know about all this?"

"Nothing," admitted McCarthy, a five-year veteran of Capitol Hill. "But I'll see what I can find out."

Next morning Dick McCarthy phoned two colleagues from New York—Reps. Otis Pike and Samuel Stratton, both members of the House Armed Services Committee—but they, too, admitted somewhat sheepishly that they didn't know very much about CBW (the official terminology for Chemical and Biological Warfare). They suggested that he check with the Army.

"I pursued the matter," McCarthy says, "because I represent half a million Americans, and I believe they're entitled to know how the Army is spending their money, what the Army is developing in the way of new weapons, especially germs and gas."

Nowhere in the annual posture statement by the Secretary of Defense is CBW mentioned. Pentagon policy, in recent years, has been one largely of silence and secrecy.

Last summer, however, University of Colorado scientists complained that hundreds of tanks, filled with enough nerve gas to destroy the world, were stored dangerously above ground at the Rocky Mountain Arsenal near Denver. Supported by Denverites and their Congressman, they pressured the Army into moving the tanks. Most of the gas was shipped to Utah, whose Rep. Sherman Lloyd is "personally satisfied" that whatever dangers there may be are "remote dangers."

In October the CBS network telecast a two-part on chemical and biological warfare. NBC then followed with a similar program. In April, *The New York Times* reported that the U.S. was spending hundreds of millions of dollars annually on the chemical and biological weapons program and keeping it a closely guarded secret.

CHANGING PUBLIC'S MIND

In response to the public's growing concern with CBW—the concern is particularly evident on university campuses—the Pentagon has embarked on carefully arranged disclosures designed to curb potential anti-CBW feeling.

"We're in the process of changing the public's mind," one Pentagon spokesman informed a reporter. "We're trying to acculturate the public to deal with reality. This is the government's responsibility."

In line with this new policy, the Army responded to McCarthy's inquiry by arranging for Brig. Gen. James A. Hebbeler, chief of CBW operations, to speak with interested Congressmen. On March 4th, Gen. Hebbeler briefed 19 members of the House.

"Frankly," says McCarthy, who served with the Navy in World War II and with the Army in the Korean War, "I didn't find the briefing very helpful. It didn't answer the questions of public policy."

McCarthy thereupon sent a list of questions to Secretary of Defense Melvin Laird, Secretary of State William Rogers, Director of the Arms Control and Disarmament Agency Gerard Smith, Ambassador to the UN Charles Yost, and Dr. Henry Kissinger, Presidential Assistant for National Security Affairs.

He then made a speech about CBW on the floor of the House.

"I believe," he states, "that chemical and biological warfare activities are shrouded in

unnecessary secrecy. I get the impression that the security curtain is parted only when it serves the advocates of the programs. I found the replies to my letters heartening in some respects but deeply disturbing in most others."

First, it is important to know that "the U.S. is not a party to any treaty, now in force, that prohibits or restricts the use in warfare of toxic or non-toxic gases, or smoke or incendiary materials or of bacteriological warfare."

In 1925 at a Geneva Disarmament Conference we suggested that the nations of the world join us in signing the Geneva Protocol outlawing the use in war of poison gas and death-dealing bacteria.

Most Americans, however, don't realize that the U.S., because of Senate obstruction, never signed the treaty. Nevertheless, American Presidents have repeatedly declared that the U.S. would not be the first to use poison gas and bacteriological warheads.

There is controversy over the use of various non-lethal gases in Vietnam such as CS, a powerful tear gas; CN, a milder tear gas, and DM, an irritant known as Adamsite gas. Some contend these are no more dangerous than the tear gases used for mob control and to rout out criminals by American police.

Soviet Russia, China, France, Germany, Great Britain—all signed and ratified the Geneva Protocol of 1925. By signing the treaty, however, none of these nations abdicated its right to establish research and development programs.

PENTAGON EXPLAINS

Pentagon spokesmen point out that the military has the mission of protecting the U.S. against chemical and germ warfare. In order to develop antidotes to these lethal gases, the spokesmen said, they must keep up with Russians in researching CBW. They also claim there's nothing sinister in the secrecy, that CBW preparations are no more classified than nuclear and other military developments.

There is no doubt that Russia and China are both well equipped with CBW arsenals, although each country has declared it will never use such weapons offensively.

As for the U.S.—information is hard to come by. Reportedly the Pentagon has entered into CBW research arrangements with at least 40 universities in this country as well as with universities and laboratories in West Germany, Great Britain, Japan, and Belgium.

The London Times reported recently that the Pentagon had established 27 contracts with universities in Japan.

Le Tribune des Nations in France claimed that the Pentagon is working closely with German scientists in secret laboratories at Marburg, Oberpfaffenhofen and Hamburg.

The U.S. has a joint research agreement with Canada and Great Britain on the testing of poisonous gas and deadly bacteria, supposedly in the vicinity of Suffield, Canada.

Our Army is known to be field-testing CBW agents in Panama, Hawaii, Greenland and Alaska. Chemical defoliation agents are field-tested in Thailand before use in South Vietnam.

Seymour Hersh, a former Pentagon reporter for the Associated Press, provides an up-to-date report on CBW installations in the U.S. in his book, *Chemical and Biological Warfare: America's Hidden Arsenal*.

The major CBW bases in the U.S. are:

Ft. Detrick, Md. Located 50 miles northwest of Washington, D.C., this base is headquarters for the nation's biological war research program. The fort was set up here during World War II, cultivated brucellosis bacteria which causes undulant fever in man, gradually expanded to the point where it now reportedly employs some 500 researchers who experiment with viruses and various bacteria on animals. A large share of the

nation's military experimentation on anti-crop agents and defoliants is conducted in a corner of the base where, behind high-wire fences, groups of scientists work industriously in a cluster of greenhouses.

Pine Bluff, Ark. Opened in 1942, the base serves as packager and producer of smoke bombs, incendiary munitions, and riot-control agents. It is also the main center for the massive production and processing of biological agents. Germs are brewed, then loaded into bombs, shells, and other munitions, then stored in more than 250 earth-covered vaults called "iglous." A few of these germs which are developed through mutations could wipe out the population over a wide area if they ever got loose. Yet there have been more than 720 accidents at Pine Bluff, at least half of them involving infectious organisms.

Dugway Proving Ground, Utah. This base serves as a testing ground for nerve gas, other gases, many CBW agents. In March 1968, 6000 sheep perished on ranges near the Dugway test area. Until last month, the Army had never admitted that its nerve gas killed the animals, though it had paid hundreds of thousands of dollars in claims.

Edgewood Arsenal, Md. Oldest of the CBW bases, it dates back to World War I. Formerly used for the production of gas munitions, it changed over to a research and development center after World War II. Its scientists performed outstanding work on a German-developed nerve gas called Sarin, but are now hard at work on a variety of chemical weapons. These, according to *The Detroit News*, are "tested on mice, animals, and eventually human volunteers." Edgewood is now the final inspection center for all chemicals and chemical weapons, including such psycho-chemical incapacitants as LSD and others of similar nature.

Rocky Mountain Arsenal. This 17,750-acre base ten miles from Denver served as the main production facility for Sarin until 1957, when production was halted. The arsenal stays busy, however, filling rockets and bombs with the deadly nerve gas.

Newport Chemical Plant, Ind. This installation in peaceful farm country on the western edge of Indiana near Danville, Ill., is the Army's main production plant for VX, an imported nerve gas more effective than Sarin.

How much do these installations cost the American taxpayer? The Pentagon says \$350 million for fiscal year 1969; Congressional sources indicate the figure is closer to \$700 million.

A few questions posed by Sen. Gaylord Nelson (D., Wis.):

1. What are the official policies for the use of CBW weapons in the event that they are used by a foreign aggressor against us?
2. Who makes the decision to deploy anthrax, the plague, or a lethal nerve gas?
3. What are the ground rules?
4. What have they been in the case of Vietnam?
5. What are the deterrent factors in a program of chemical and biological preparedness?
6. How do we militarily defend against a CBW attack?
7. If the purposes of our preparedness is to prevent surprise, what specific steps have been taken to detect a surprise?
8. What commitments have we taken toward a resolution of the chemical and biological arms race?

At the start of World War II, President Franklin D. Roosevelt delineated the American policy on chemical and biological warfare.

"Use of such weapons," he declared, "has been outlawed by the general opinion of civilized mankind. This country has not used them, and I hope we will never be compelled to use them. I state categorically that we shall under no circumstances resort to the use of such weapons unless they are first used by our enemies."

During World War II, in preparation for a possible threat by Nazi Germany, the U.S. began a research program on biological agents. In the atmosphere of the Cold War that followed, CBW research and stockpiling were accelerated.

In 1967 Cyrus Vance, then Assistant Secretary of Defense, told the Senate Foreign Relations Committee: "As long as other nations such as the Soviet Union maintain large chemical and biological warfare programs, we believe we must maintain our defensive and retaliatory capacities."

One of the Senator Nelson's vital questions, unanswered by the government, is whether CBW agents are actual deterrents.

Aren't nuclear weapons a sufficient deterrent to prevent any nation from attacking the U.S. with chemical and biological weapons? Moreover, if the U.S. maintains CBW only in "defensive and retaliatory capacities," what is the explanation for the use of gas and chemicals in Vietnam?

"Although we state that we adhere to the principles of the Geneva Protocol," says Congressman McCarthy, "we are using tear gas to help in killing the enemy in Vietnam, and we are using chemicals as an anti-food weapon and in such a way that they may well have a long-term destructive effect on the Vietnamese countryside. This latter policy seems unlikely to win the battle for the minds of the uncommitted in Vietnam."

"I ask: who is responsible for this change in our chemical and biological warfare policy? Did the President of the United States decide to use tear gas and defoliants? Did the military decide? Has Congress agreed to this change of policy? Do the American people accept this new policy as one in keeping with the principles and moral precepts of our Republic?"

A QUART OF DEATH

The truth is that the American people know precious little about chemical and biological warfare. They do not know, for example, that the gas from a single bomb at the Rocky Mountain Arsenal, the size of a quart fruit jar, could kill, as one chemical warfare colonel explains, "every living thing in a cubic mile."

They do not know that between 1954 and 1962 there were more than 3300 accidents, minor and major, at Ft. Detrick. About 400 men were infected as a result. In one instance a worker caught pneumonic plague a highly infectious disease. He also happened to work as a lifeguard at a swimming pool.

The public is woefully ignorant, and the Congress has been alarmingly negligent about CBW. Thanks to Rep. Richard McCarthy, however, and Sen. Gaylord Nelson, the Congress seems to be coming alive on the subject.

Says Nelson: "We . . . need to review the entire scope of chemical and biological warfare. What is significant is the cloak of secrecy which has surrounded our actions in CBW work. This cloak of secrecy must be removed."

If such efforts to clarify American policy on chemical and biological warfare prove successful, the nation will owe a debt of gratitude to Gail McCarthy, who said to her husband one night, "You're a Congressman. What do you know about all this?"

[Vital Speeches of the Day, Sept. 1, 1969]

BIOLOGICAL WARFARE AS NATIONAL POLICY— AN OFFENSIVE CAPABILITY (By RICHARD D. MCCARTHY)

It is the policy of the United States to develop and maintain a defensive chemical-biological capability so that our military forces could operate for some period of time in a toxic environment if necessary; to develop and maintain a limited offensive capability in order to deter all use of chemical and biological weapons by the threat of retaliation in kind." This statement of national policy was given to me on April 15,

1969 by Mr. John S. Foster, Jr., Director of Defense Research and Engineering, on behalf of Secretary of Defense Melvin Laird. It was part of a response to a series of questions that I had addressed to the Departments of Defense and State, the Arms Control and Disarmament Agency, our Ambassador to the United Nations, and Mr. Henry Kissinger of the White House staff.

What does this policy mean? It means that despite the emphasis on deterrence, the United States maintains a defensive capability with biological weapons. It means that we maintain major laboratories; Fort Detrick, Maryland and the Naval Biological Laboratory, Oakland, California, exclusively working on the development of diseases to be used as weapons. It means that we test the effectiveness of these diseases in the open air in Utah, at Eniwetok, in Alaska and possibly even Maryland. It means that we maintain a production center, Pine Bluff Arsenal, Arkansas where bacteria and toxins—or poisons—which are the byproducts of bacteria are produced. It means that quantities of these disease-causing bacteria are stockpiled at Pine Bluff Arsenal in refrigerated igloos for use in war. It means that we have developed aircraft bombs, artillery shells, and even—I am told—a hand grenade to spread germs and toxins over an enemy. The hand grenade sounds improbable but I am told that the bacteria are chosen so that the grenade can be left on a road or in a trench and not become active for several hours. It means that our military have contingency plans for an offensive attack with disease against another country.

Despite the emphasis on the defensive aspects of biological warfare in the policy stated by the Department of Defense and accepted by Mr. Kissinger there is very little of a defensive nature in our biological warfare program. Mr. Foster's reply said that:

"The U.S. does not maintain large stockpiles of medical supplies such as antibiotics and vaccines against the possibility of biological attack. There is no specific antibiotic therapy available for most biological warfare agents. As for vaccines, there are more than 100 possible biological warfare agents, and production and administration of 100 vaccines to the U.S. population is not practical. There is medical reason to believe that a program would be generally injurious to health in addition to requiring prohibitive expenditures."

We do not have any defense for our civilian population against biological warfare or a warning system against attack with biological agents, although the Department of Defense says that "research on methods of detecting and warning, identifying, and defending against biological attack are continuing. . . ." We would not know that we had been attacked until after people began to get sick. Even our armed forces have no effective means of protection against biological warfare since it takes nine months of continuous inoculation before our researchers are allowed to work in our germ laboratories or production plant.

We can conclude from the lack of a defense that our germ warfare policy is one that would defend against biological warfare by the threat of a biological attack in retaliation. Even more disturbing, however, is the information that we have seriously considered offensive first-use of biological warfare. I have been told, although it has never been confirmed officially, that we came very close to using biological warfare in Cuba during the missile crisis. And it is a well established fact that a segment of our military planners are exerting every influence to have a policy allowing the use of what they call incapacitating biological weapons adopted at the National Security Council-White House level of government. If this policy is adopted, the United States would loose a germ war on another country with-

out warning, even the thought of which I find indescribably repulsive.

The disease-bearing weapons that we develop and test and in some cases stockpile include the plague, anthrax, tularemia, psittacosis, O-typhoid, botulism, Rocky Mountain Spotted fever, brucellosis and Venezuelan equine encephalitis. As the Department of Defense pointed out, there are more than one hundred of these diseases which could be used. Biologists employed by the Army and the Navy at Fort Detrick and the Naval Biological Laboratory not only refine and concentrate the bacteria that cause known disease, they develop new vaccine-resistant strains of disease. The purpose of this work is to find germ weapons that are unknown to doctors in the country on which they would be used. Although the public relations officers of our biological warfare centers emphasize the work that they do to find cures to disease and point to their published work in recognized scientific journals, the published work is only a small fraction of their total work. Unclassified publication is more of a recruiting aid to attract biologists to these labs than a reflection of what they do.

The diseases that we research and in some cases produce for weapons range from the most deadly to those that are usually only incapacitating and I emphasize "usually." The recent report of Secretary General of the United Nations, U Thant, on gas and germ warfare describes the symptoms of some of these diseases. It describes the plague as follows:

"Under natural conditions, small rodents, from which the disease is transmitted by fleas, are the main source of human infection with plague. This is how 'bubonic' plague develops. If the plague microbes are inhaled, pneumonic plague develops after a three-to-five-day incubation period. The patient suffers from severe general symptoms and if untreated, normally dies within two or three days. A patient with pneumonic plague is extremely contagious to contacts."

Tularemia is described as follows:

"Under natural conditions, tularemia is a disease of wild animals, the source of human infection being rodents, especially rabbits and hares. When it occurs naturally in human beings, who are very susceptible to the disease, skin lesions with swelling the lymph nodes are its usual manifestation."

"The pulmonary form is more serious. Pulmonary tularemia is associated with general pain, irritant cough, general malaise, but in Europe and Japan mortality due to this form of the disease was never higher than 1 per cent even before antibiotics became available. American tularemia strains, on the other hand are more dangerous; some epidemics have been associated with a mortality rate as high as 20 per cent, despite antibiotic treatment."

These two diseases, the plague and tularemia are illustrative of the weapons that some would include in our arsenal, truly the deadly fourth horseman of Apocalypse.

There has been very little public discussion of the policies that would govern the use of biological weapons in warfare. Those responsible for research, development, test and production of biological warfare weapons argue for first-use of both lethal and incapacitating diseases. This policy has apparently not been adopted by those responsible for military operations plans in the armed forces or by the Secretary of Defense. In talking to those familiar with thinking on biological warfare at the top level in the Air Force, I asked whether they seriously contemplated loosing a lethal disease on another country. I was told that policy makers in the Air Force did not. I found this a reassuring evidence of common sense.

Less reassuring was a study conducted by Army chemical and biological warfare planners for a hypothetical invasion of Cuba. Using detailed plans for an invasion of Cuba,

plans that showed which beaches American troops would assault and the estimated number of Cuban defenders, these planners assessed the effects of biological attack on the Cuban defenders. They believed that most of the Cuban military would be incapacitated with fever of 102½ degrees, diarrhea, vomiting and a general sick feeling. They believed that 10,000 American lives would be saved as a result. It was estimated that the civilian population would also be affected and that somewhere between 1 and 3 per cent of the civilians would die. Death would generally strike the very young and the old.

The results of the CBW planners' study were turned over to the military operational planners, those responsible for preparing the guidelines for our armed forces in combat operations. They were asked what they would expect the Cuban army defending the beaches to do if they had the symptoms described above. They came back with the conclusion that the Cuban soldiers, incapacitated with the biological agent would be unable to abandon their foxholes and fortifications under the shock of air and artillery attack. They would feel so rotten that they would probably man their guns to the last man and be willing to die at their post. Our operational planners concluded that our casualties would be far higher than otherwise if a so-called incapacitating biological weapon was used.

I find a United States policy based on the use of biological weapons unbelievable. It is directly contrary to principles of humanity and decency for which America stands. Anyone familiar with the history of the Korean War knows of the intensive efforts by the United Nations and the United States to refute the false Chinese-North Korean charges that germ warfare had been used in Korea. Knowing the universal revulsion to this form of warfare, every effort was made to assure the world that there was no basis for the charge. And beyond that, the principle of humanity, as a practical matter, biological weapons are so potentially dangerous to all of mankind, both in testing and development, that I believe they must be abandoned as weapons of war.

Contrary to the policy stated by Mr. Foster of Defense, I believe that if one of our NATO allies was attacked with a plague, that we would not loose a plague on the attacker. Rather I think that we would send as many medical and health teams as we could to assist our ally in stamping out the disease. We then would probably either threaten to or actually retaliate against the attacker with conventional weapons or tactical nuclear weapons, weapons which are much more predictable in effect than biological weapons.

I do not believe that lethal biological weapons are a creditable deterrent. To say that we prepare them to stop another country from using them on us means that we are willing to use a disease which we don't fully understand. We do not know whether the plague would stop at the boundary of the country on which it was used. As Dr. Joshua Lederberg, Nobel laureate biologist at Stanford University, has pointed out, a disease is highly unpredictable. What starts out as an incapacitating disease may mutate, become highly deadly, and spread around the world as a pandemic, a world epidemic. Each year we must invent a new vaccine for the flu and even so we are not able to stop its spread. As prominent medical authorities have pointed out, all of biology involves averages, an estimate of lethality is an average—some bacteria in a weapon are milder, some are more deadly. And because of the limitations on testing, there is little likelihood that our knowledge of the effects of these weapons will improve.

Even with toxins, non-living by-products of disease microbes, the effects are highly unpredictable. Staphylococcus toxin, a fairly

common bacteria, may have highly different effects from those normally experienced if it is breathed in rather than entering the body through the intestine. We may find that fatalities run to fifty or seventy-five per cent from a so-called incapacitating agent. This is particularly true with the differences in physical strength from country to country. What might be incapacitating in the United States might well prove fatal among the people of a poorly fed tropical country.

"I also do not believe that in wartime an enemy would be able to distinguish between a lethal and an incapacitating disease used in war. As the effects of the disease became evident, the enemy would probably assume the worst and strike back with the most effective weapons at his disposal, very possibly nuclear weapons."

Biological weapons have a further drawback. Relatively speaking, biological weapons are cheap. A nation that may not be able to afford a creditable nuclear or conventional military force could afford a germ warfare arsenal. Although a reliable biological weapon in any quantity takes some technical skill, it is not a skill limited to a very few countries, but is rather widespread. Aside from the question of humanity, it is in the interest of the United States to support and practice a policy that completely denies the use of biological weapons.

No documented case of the use of biological warfare has been found in the Twentieth Century. It is an area of inhumanity that by tacit agreement man has been able to avoid. For this reason, I find it bizarre that our military planners can argue that we should adopt a policy to initiate its use. No form of war is humane and every step that we can take to assert human values should be taken. I do not believe that we should be the country to further break down the fragile humane practices that have been agreed upon.

Fortunately, our national policy in the fields of chemical and biological warfare are now under review. Mr. Gerard Smith of the Arms Control and Disarmament Agency informed me on June 17 on behalf of President Nixon that a full-scale executive review of our practices and policies is being made. This is the first such review in a decade and gives us an opportunity to correct what I regard as the pre-nuclear World War I vintage policies still accepted by part of our armed forces. The Departmental position papers are due at the National Security Council in September.

President Nixon has indicated that he is considering submitting the Geneva Protocol of 1925 banning first-use of gas and germ warfare to the Senate for action. I urged him to conduct such a review on April 30, 1969 and to resubmit the protocol on June 12, 1969. As of now 98 members of the House have joined me in sponsoring a resolution urging President Nixon to resubmit the Geneva Protocol. Twenty members of the Senate have joined Senator Hartke in sponsoring a Senate version of my resolution. Senator Fulbright, Chairman of the Senate Foreign Relations Committee, in a letter to Secretary of State Rogers has indicated that he is anxious to hold complete hearings on the Protocol as soon as possible. I believe that ratification of the Geneva Protocol banning first-use of gas and germ warfare is in the interests of the United States.

Although we have said that we support the principles of the Geneva Protocol, we have not ratified it. To illustrate one of the incongruous effects of our failure to do so, let me cite the following case. Early this year, two countries in a de facto state of war with each other, Israel and Syria, ratified the Geneva Protocol of 1925. They notified the French Registrar of their action. Under the terms of the Protocol the French are only required to notify those signing the Protocol of additional nations joining the pact. The

result is that when I contacted the Department of State this last week, even in the offices specifically concerned with these countries, no one was aware that the Israelis and the Syrians had acted on the Geneva Protocol. The State Department still has not been informed of this action. This makes it impossible to honor the principles of the Protocol in the case of Israel and Syria.

Going beyond the principles of the Geneva Protocol is a resolution that has been introduced at the Twenty-five Nation Disarmament Conference in Geneva this summer. This resolution would ban the development, production, stockpiling, and use of biological weapons. I have urged President Nixon to fully support this resolution. I believe that the United States has nothing to lose by abandoning biological weapons as an instrument of war. I do not believe that they are effective deterrents to use by others and I do not believe that they are safe enough to use. The resolution would go into effect when the twelve or thirteen nations with a capability in biological warfare ratified it. We will always continue to find ways to eliminate disease. I do not think we should, as a matter of national policy, work to spread disease.

I urge the legal profession of this nation, as ably represented by the American Bar Association, to join in this effort to ban germ warfare and to support the growing movement for U.S. ratification of the Geneva Protocol.

[From the Saturday Review, Dec. 27, 1970]

TRADE WINDS

(By Cleveland Amory)

During the fortnight we met another McCarthy—and one you should know, at least about. He is Richard D. McCarthy, a young Turk Democrat from Buffalo, and he is the man who for many a long, lonely month has been conducting at times an almost one-man war, for all mankind, against chemical and biological warfare. "Max," as he is called, came to the war against CBW with the credentials of being a foe of pollution ("I come, after all, from the shores of Lake Erie"), of having seen duty in two services (the Navy in World War II, and the Army in Korea), and also a man who had braved the gunfire of the National Rifle Association ("Sportsmen," the NRA campaigned with bumper stickers against him, "Give Max the Ax"). "My wife and I," he told us, "were sitting watching a program called *First Tuesday*. It was about CBW. 'You're a Congressman,' my wife said. 'What do you know about this?' 'Nothing,' I answered."

"The next day," Congressman McCarthy said, "I was still boiling. I made a speech on the floor calling for a briefing—but I soon discovered that the Pentagon insisted it be conducted in a totally secret context."

"I had already learned," he continued, "that only five members of the House Appropriations Committee are cleared for 'top secret'—in other words, for funding the CIA, the Green Berets, and CBW. I had also learned that even Majority Leader Carl Albert did not know the identities of these five men, and I have since learned that neither does the Speaker of the House."

"After all," I asked, "how can you say a weapons system is a deterrent if you don't even publicly tell a potential adversary that you've got it?"

"At the briefing," McCarthy went on, "Brigadier General James A. Hebbeler would not even admit that the nerve gas killed the sheep. Instead he used the briefing to campaign for more funds."

McCarthy's next snow job came during a White House reception at the hands of none other than Melvin Laird, the Secretary of Defense himself. "Well, Max," he boomed cheerfully, "you sure stirred up a storm over chemical warfare." "I told the Secretary," he said quietly, "that I was not at all satisfied

with the Army's performance and that I was addressing a series of questions about CBW to him, and that I wanted answers."

Finally, McCarthy took a hotel room in Georgetown and sat down and wrote a book. This book, *The Ultimate Folly*, was published the day after President Nixon made his speech on germ warfare. But advance copies of the book had been in the White House for at least two weeks.

The Congressman warned us that though a battle against CBW has been won the war is far from over—that reports from Vietnam indicated that babies born to mothers living in defoliated areas were malformed. Even before this, he told us, tests revealed that litters born to female rats that had been subjected to 2,4,5-T, one of the herbicides the United States has been using in Vietnam, were malformed.

"At that time," the Congressman told us quietly, "Lee DuBridge, the President's science adviser, said that the United States would no longer use 2,4,5-T—in the U.S."

A PROGRAM FOR A LIVING ENVIRONMENT

(Remarks of Representative RICHARD D. MCCARTHY at Colby Junior College, New London, N.H., April 21, 1970)

I know that you sense with me something unusual in the air on this spring day beginning a new decade. We gather together to observe Earth Day, a day signifying our reverence and respect for the gift that creation gave to us. In one sense, the observation of Earth Day is almost as old as mankind for May Day has signaled the opening of spring from the most ancient times.

In another sense this Earth Day is symbolic of a change in direction for our country. By the year 1770 the young settlers on an unsullied bountiful continent had reached the stage where they could consider embarking on an independent course. They turned their backs on the industrial civilization just expanding in Europe and plunged into the wilderness. One hundred years later young America turned from the ravages of our Civil War to tame the expanses of our West. Railroads spanned the continent, homesteaders furled back the sod and miners tapped the riches of our mountains. Now, one hundred years later, our nation has begun to realize that we will destroy our rich natural heritage unless we stop the practice of waste, extravagance and improvidence.

We now realize that we may have done irreparable damage to the bountiful Earth on which we live. Through ignorance and inaction we may have already proceeded to the point where, twenty or thirty years from now, man will disappear from the earth. It may be that our senseless destruction of a species of marine life will also lead in turn to our senseless destruction. It is no Cassandra who speaks of the end of man; it is the ecologist, the population expert, the scientist and the statesman.

It is not enough, then to talk with dire foreboding of the bleak future that could be ours. We must move beyond the first act of this drama where we have dwelled too long and concentrate on those policies and practices that will enhance and preserve our natural riches.

First of all we need a philosophy—a way of life—that treats every stone, every insect, every drop of water, every plant and every mountainside with the love and reverence that we now devote to humans. We must recognize, as Darwin and others have, that we do not live independently of our natural surroundings. Species have come and gone over the ages because of their inability to adjust to their natural surroundings. We must adjust to our surroundings as a species or be fated to disappear with the dinosaur and the homing pigeon. Not only must we pay tribute to the concept of a living environment, we must learn to live ecology.

Second, we need a concept of the environment that goes beyond the obvious, a con-

cept that addresses itself to the total environment and not just to the garbage dumps that foul our landscape or the oil slicks that ooze onto our precious seashores and estuaries. We must learn to see the larger consequences of our action. There is an absolute limit, for example, to the amount of combustion that can take place within our atmosphere before the air becomes unfit to breathe. Massive population growth accompanied by a comparable burning of fuel can doom us to strangulation. Similarly, unlimited population growth with its consequent need for space, air and food will also lead ultimately to extinction, although not quite so rapidly as some would lead us to believe.

What is important to realize in evolving this concept of the environment is that more than ever the past is prologue. Failure to restrict unwanted population growth today means by the laws of mathematics and biology, human crowding and misery beyond comprehension in the future. Failure to enact strict laws controlling disposal of waste today means that it may be impossible to retrieve spoiled natural resources in the future. The disposal of radioactive wastes from uranium mining today on a small scale may grow in several decades to the size where we must spend enormous amounts of money to correct the problem. We must learn to ask, "What are the ecological consequences of our action?"

Third, we must recognize that planning is needed as it never has been in the past. We had a margin for error in our country in the past that kept us from the consequences of our waste and wantonness. We could burn the timber off our woodlands and turn the land to the plow because there was enough remaining timberland to protect our soil and water. We could scar the earth with the raw wounds of strip mining because it only seemed to affect a small number of impoverished mountaineers. We could dump the refuse from a food packaging plant in a river or bay because the volume of water was sufficient to dilute this poison. If our abuse of the land made it unproductive, we could move on to another plot. Acid mine drainage, waste chemicals, untreated sewage, for example, all add up to an unacceptable burden for our rivers and lakes. Wash-day detergents loaded with phosphates fertilize our waters. Cheap agricultural fertilizers are washed off our farmland to poison our rivers. Each action, taken independently, seemed acceptable. It would not do too much damage. But taken collectively it has amounted to catastrophe. Today and for the future there is no substitute for comprehensive planning to insure that the actions of 200 million people by the end of the century conserve and enhance rather than destroy our environment.

Unfortunately, planning has never been a strong point of our governments. Planning has had almost a socialist ring to it, something foreign that Americans don't do. During President Franklin D. Roosevelt's administration a National Planning Council was proposed but was rejected because it was believed to be socialist. The private sector rejected national planning as being contrary to our principles of economics. Planning has also often been used as a substitute for action. There has been an artificial dichotomy between planners and doers with the thought on the part of the doers that the planners couldn't do. We will have to shelve this attitude and undertake planning with a vengeance if we are not to be buried under mountains of trash and choked by clouds of air pollution.

Fourth, we must accompany effective planning with action. We cannot substitute planning for action, we cannot paper over our problems with planning commissions, and we cannot palm off our grave ecological problems with negligible research projects. We must match our rhetoric with the resources and the resolution required for the job. It is misleading at best to talk about bold new ap-

proaches to the control of water pollution by the Federal Government when the \$4 billion program is actually less than the amount already authorized by the Congress. It is misguided to talk about solid waste disposal as a critical national problem and then reduce the Federal funds available to find better ways of disposing of our wastes as was recently announced by the Federal Bureau of the Budget. And it is the most serious mistake to allow our anti-pollution laws to go unenforced after they have been placed on the books.

Most of you have some familiarity with our major environmental problems. We have been alerted to the dangers of polluted waters. We know where the automobile's internal combustion engine will lead us if other sources of power are not found. We know about the need to see that our new atomic powered electric plants do not overheat our rivers and bays or leak radioactivity into our atmosphere. Laws have been passed to deal with these problems. But there are environmental problems that have not received the attention they merit. Population or growth control has only begun to receive the attention it deserves. Land use policies emphasizing respect for the ecology have only been practiced or even discussed in a few cities and states. The widespread use of artificial or commercial chemicals with their effect on our health remains an area in which the influence of the manufacturer or the user—the agro-business combine—is much stronger than that of you or me.

Population control remains the area in which more goes unsaid than said. No statement is issued by our government about population that does not contain the reservation that the wishes of the citizen with regard to population will be honored. We say that we will offer assistance in planning parenthood to those who desire it but public figures do not go beyond that to attempt to resolve the possible contradiction between individual wishes and the national need. Men such as Dr. Paul Ehrlich have dramatically detailed the dangers of the population bomb; although I do not wholeheartedly accept his thesis, I think that it is a mistake for our public leaders not to discuss all aspects of the population problem. We have a long way to go before we face the crowding found in other countries. If the U.S. had the same population density as Holland, we could harbor the entire population of the world.

Even now we need to exercise some restraint on population growth. I do not think, for example, that the Federal Government should offer financial incentives that encourage large families. A welfare program that encourages a young woman to have additional children in order to gain the extra money that this brings runs counter to a sensible policy of restraint.

In the area of population growth restraint education and a change of attitude may be even more important than laws. Population growth in our country is much more responsive to changes in the public mood—are we in a recession?—is the cost of living going up?—than in less developed areas. Recent surveys taken at Cornell University, for example, showed two things. Most of the students interviewed planned to have more than two children—the number that would stabilize our population. The students also showed an amazing lack of knowledge about the basic fundamentals of biology even among graduate biology students. With our respect for the rights of the individual in our society, I suspect that we will have to do what can be done from a governmental standpoint in the area of education and awareness. If Americans understand the reasons why we cannot have an unlimited growth in population, the two child family may well become the norm rather than the exception.

Land use is another area that has been neglected in the United States. In the past

we have allowed the owner of land to use it pretty much as he desires. True, we have had zoning ordinances in cities that have restricted the uses to which some areas of the city can be put. Other towns and suburban communities have concentrated on residential homes with regulations designed to keep this flavor for the community. But what we have not done is to approach an entire state or region in this fashion. For example, we have not approached the State of California as a whole, until recently, and asked, how best can each area of the State be used? We have not examined the seacoast of California to determine whether the State should adopt a zoning law, in effect, which says that the best use for seashore is beaches and wildlife areas rather than nuclear generating plants. We have not examined the grape vineyard valleys of California and determined that this is the best use that some of these valleys can be put to.

It is precisely this concept of a "best use" land policy applied to states and even regions of our country that is needed now. We need to know, for example, whether the location of a new international airport is ecologically and environmentally acceptable in the location proposed. A recent proposal to build an international airport in the metropolitan Los Angeles Airport was initially accepted by the local government that now controls the zoning in the particular location without the realization that the airport would probably generate a new population of one million people. Similarly, the Federal Government makes a decision on where to locate a new major laboratory or manufacturing plant without taking into consideration its effect on the surrounding land. Until we recognize that land use cannot be left up to the speculator or to the smallest unit of government, we will continue to blight our land with highway strip developments and fill in marine estuaries for quarter acre homes, we will build homes on hills that are bound to be eroded during heavy rains and to destroy unique natural resources that can never again be recovered.

Countries such as Holland have adopted land use policies and practices that designate, in general terms, how each area of the country will be used. This has permitted Holland to maintain a population density that is one of the highest in the world at the same time that the country remains an attractive and enjoyable place to live in. The proof of their living environment is found in the stream of tourists that visit Holland each year and admire the beauty of their surroundings. We should certainly be able to do as well with our land. But land use policy will come directly in conflict with some of our current practices in economics. The land speculator with his strong influence on local and state government will do all that he can to see that he alone determines how his land is used. This is the area of conflict that must be resolved in the years ahead.

A third problem that is less well appreciated than some of the other areas of the environment is that of the use of chemicals in our society. We are finding increasingly that when we casually put lead or some other additive in a commercial product for general use, we are doing damage to all forms of life on earth. The pressures to use these chemicals are great, for they offer what seem to be cheap benefits to those who make and those who use them. Yet each additive has an effect which we often do not appreciate. In a recent example, we found that a mercury-based fungicide used to help grow and to store wheat harvested in certain areas is poisoning humans even though the amount that is used is small indeed. We also finally got recognition from the Federal government that the defoliant 2, 4, 5-t, used extensively in American agriculture for over ten years, causes misformed progeny and should not be used in the future. I hope that our other defoliants and herbicides will now receive

similar attention. We also learned recently that certain plastic bags used for the disposal of trash emit poisonous fumes when they are burned.

This is an area in which, as a national policy, we must have safeguards against the introduction of new chemicals into use or the use of existing chemicals in new forms that insures that this use will not be harmful to our environment.

These are only a few of a vast catalogue of ecological and environmental concerns that we must recognize. In only briefly touching on some of the aspects of this problem, I hope that I have shown you that ecology is truly a way of life. It is not isolated and separate from our other actions and decisions but rather has to be a part of everything that we do.

We have gathered together to observe Earth Day and the environment. The question that we must raise is, "where do we go from here?" I would hope that in the months and years ahead your energies will be found in the hearings on whether or not our pollution laws will be enforced. I would hope that you would be in the forefront of action taken by citizen groups to see that despoilers of our natural resources are controlled. I would hope that you will support the intelligent approach to land use planning and planning in general that is so necessary to overcome the inertia and the disinclination to do something in this area. I would hope that you will help bring an appreciation of the very real dangers of unlimited population growth into national awareness. And finally, I would hope that your generation and, belatedly, mine, will adopt the reverence toward nature that is the essence of environmental concern. This reverence, coupled with the discipline and hard work needed to make one's voice heard in our society, can make a living environment as surely as the evergreens that grow on your mountains and the seeds that sprout in the damp earth.

REMARKS OF REPRESENTATIVE RICHARD D. MCCARTHY TO THE CORNELL ENVIRONMENTAL ACTION COMMITTEE, CORNELL UNIVERSITY, ITHACA, N.Y., APRIL 21, 1970

I know that you sense with me something unusual in the air on this spring day of the new decade. We gather in observance of Earth Day, an observance of our reverence and respect for the gift of creation and life. The observance of Earth Day is as old as mankind for May Day has signaled the opening of spring from the most ancient times.

In another sense this Earth Day is symbolic of a change in direction for our country. By the year 1770 the young settlers lodged on a bountiful unsullied continent and sought independence from the Old World. They turned their backs on the industrial civilization just expanding in Europe and plunged into the wilderness.

One hundred years later young America buried the memory of a bloody Civil War in the taming of our Western expanses. Railroads crossed our plains, homesteaders furled the sod back and planted grain, miners hacked and blasted the mountains to tap their riches. We tamed and exploited our land with little thought to the future.

Now, one hundred years later, our nation has begun to realize that we'll destroy our rich natural heritage if we follow our practice of waste, extravagance and improvidence. The limitations of nature's bounty have become all too clear.

During the last week we saw in miniature the nature of the environmental dilemma enacted. All the world turned and held its breath while our courageous astronauts met and fortunately survived a near catastrophe. Their small world, Apollo 13, suddenly lost a major part of its supply of oxygen so that there was a real question whether they would have enough air, water and power to return. The danger was clearly recognizable as the oxygen vented into space, appearing

to the astronauts to be fireflies. Everyone learning of their dilemma could understand the importance of the remaining oxygen that they had and the importance of getting them back to Earth before it ran out. Unfortunately, not everyone recognized that our Earth is in much the same predicament as Apollo 13 although the time span is somewhat longer.

We now realize that we may have done irreparable damage to our bountiful Earth. Through ignorance and carelessness we may already have done things that, twenty or thirty years from now, will cause the destruction of man. This is not the cry of a Cassandra; this is the judgment of the ecologist, the population expert, the scientist and the statesman. If we are to survive as a species, we have much to do.

Central to our survival is a philosophy—a way of life—that treats every stone, every insect, every drop of water, every plant and every mountainside with the love and reverence that we now devote to humans. We must recognize, as Darwin and other biologists have, that we do not live independently of our natural surroundings. Species have come and gone over the ages because of their inability to adjust to their natural surroundings. We must either adjust or disappear with the dinosaur and the homing pigeon. This requires a reverence for nature, a respect for our surroundings that keeps us from insulting nature; it requires that we learn to live ecologically.

This week and this spring we focus on the many aspects of our environment, all tied together in inter-dependence with the ability to destroy the other parts if we ignore only the one. Air pollution, solid waste disposal, water pollution, artificial food additives, population growth control—the list is long because it involves every aspect of our lives. Most of these problems can be seen at first hand in every community even if the scale of the problem can't be appreciated in any one location. But there are some environmental problems that are not open to view which I would like to focus on today.

The activities of our armed forces can in one sense be credited—or damned—with raising the first world-wide environmental issue. The nuclear explosions at Alamogordo, Hiroshima, Nagasaki and elsewhere released into the atmosphere radioactive substances that, if allowed to reach certain levels, would destroy mankind. An appreciation of this danger led eventually to a nuclear test ban treaty that prohibits the release of radioactive material in the atmosphere. I have commented at other times that we have not observed this treaty with the respect that it deserves—our underground tests have vented material into the atmosphere that has drifted into Canada in violation of the Treaty—but in the broader terms we have stopped the major tests that created volumes of fallout. Your generation and mine have still lived since 1945 with the awful awareness that we can destroy and poison the Earth with a nuclear holocaust if we err.

There are other activities of our military that threaten our environment in ways that most citizens don't appreciate. Our chemical and biological warfare policies, until recently, held the potential to unleash on the world death and disease on a scale comparable to that of nuclear weapons. As Secretary General U Thant noted in his introduction to the United Nations Report on Chemical and Biological Warfare, chemical and biological warfare must be characterized as a weapon of mass destruction. That report and many other responsible authorities pointed out that if we used biological weapons that there was a good chance that we might launch a world-wide epidemic that would spread from one country to the next without any way to halt it. The experts also pointed out that both biological and chemical weapons were extremely difficult to use with accuracy. There was always the possibility that some

of the weapon's poisons or bacteria would drift on the wind onto a neighboring country with all the consequences that such an event might have.

I should like to comment at this point on the value of the United Nations Report on both those in the United States and those elsewhere who have sought controls on the use of chemical and biological weapons. The report called for a total ban on chemical and biological warfare and also called on all nations to include tear gas in their definition of chemical warfare. One member of the panel that prepared the report for Secretary U Thant was Dr. Ivan Bennett from New York University. I have learned recently that there are those who believe that Dr. Bennett did a disservice to the United States and the world in his work on that panel. Nothing could be further from the truth. Dr. Bennett sought to produce a report that would be productive in terms of changing both U.S. and international policy in the CBW field. Although I don't agree with every position that he took, I believe that he did his job honestly and with integrity in a manner that all of us must respect. Those who seek to pillory him now do him a disservice.

Fortunately, a number of forces combined to bring a change in our national CBW policy. In late November, President Nixon announced that the United States would unilaterally abandon biological warfare as a part of our arsenal. He also said that we would not be the first to use chemical weapons and that he would resubmit the Geneva Protocol of 1925 banning chemical and biological warfare to the United States Senate for ratification.

In one of those rare instances where national policy making is revealed we subsequently found out that not all parties at the National Security Council meeting on CBW made the same interpretation of what the President meant. It was only after pressure was brought on the White House that Press Secretary Ron Ziegler admitted that there had been some confusion as to whether toxins, the deadly by-products of bacteria, were also banned by the President's announcement. The Army, and some members of the Department of Defense had done everything within their power to see that toxins were not banned. Toxins, to their way of thinking, were the wave of the future and should be retained in our arsenal. Fortunately, they lost their argument and toxins were included under the ban in early February by the White House.

The result of the ban on biological warfare is that the Pentagon and other Federal agencies are now working on plans for the future of the Biological Warfare Laboratory at Fort Detrick and the biological sections of Pine Bluff Arsenal in Arkansas. It has been indicated that the biological warfare facilities at Fort Detrick may well be turned over to one of our health agencies for medical research.

There are a number of areas that remain unresolved. In stating that the Geneva Protocol of 1925 would be resubmitted to the U.S. Senate for ratification, it was not made clear whether the Protocol would include reservations on tear gas and defoliants that would exclude them from any ban. I understand that one of the main factors that has kept the White House from resubmitting the Protocol so far this year has been this issue. There are a number of Senators who may well vote against ratification of the Geneva Protocol if it contains reservations on the use of tear gas in wartime. Their votes could otherwise be counted on in support of the Treaty but they will not vote for an interpretation of the Protocol that may be rejected by more than two-thirds of the other nations that have ratified the treaty.

On a lower order in the estimate of the Executive Branch is the questions of defoliants. There is no question that defoliants or herbicides were not included in the original

Geneva Protocol because they had not been invented at the time. I believe that they were included in principle in the language that banned all noxious chemicals. I think that phrase is an apt description of substances such as 2,4,5-t, 2,4-d and similar herbicides used so heavily and destructively in Southeast Asia. It was only with unremitting pressure that the Secretaries of Defense, HEW, Interior, and Agriculture announced last week that the defoliant 2,4,5-t would be banned from further use in American agriculture and in Vietnam. What remained unsaid, of course, was whether they would substitute 2,4-d for 2,4,5-t. The original Bionetics Report to the National Cancer Institute indicated that 2,4-d had a high potential for danger.

The process leading to the ban on 2,4,5-t is particularly revealing. The President's Science Advisor, Dr. Lee DuBridge, announced in late October that the defoliant 2,4,5-t would be banned for future use unless the Food and Drug Administration was able to show that it was clearly not dangerous. Dr. DuBridge's announcement, coming late in the evening was designed to take the sting out of a story that was about to be printed by the Los Angeles Times and the Washington Post about the Bionetics Laboratory report. The next day, however, the Department of Defense indicated that they weren't under the jurisdiction of the White House Science Advisor. The Department of Agriculture was a little more circumspect in their irresponsibility and didn't make this announcement until February. In the meantime, Dow Chemical had gone to both Agriculture and HEW to say that it wasn't 2,4,5-t that was causing the problem, it was a contaminant that caused deformed fetuses. They asked that further tests be run to prove their point. These tests were only completed recently. The result—the same misformed fetuses and further proof of the point made at the beginning of the investigation—you can't produce 2,4,5-t without the contaminant.

I do not believe that the United States should use any herbicide or defoliant unless we know that it is perfectly safe both to humans and in the broader ecological sense. I think that a policy that allows the use of 2,4,5-t or 2,4-d as a substitute on an area the size of the State of Massachusetts and on a scale nine and ten times that when used in the United States is criminal. It was the ecological consequences of our action in Vietnam that was first raised by scientists and the American Association for the Advancement of Science. I find it incredible that chemical companies keep salesmen in Saigon to see that defoliants are used.

Our chemical warfare policy also poses problems. We continue to hold on to a capability in deadly chemical nerve gas in spite of analysis that shows that it may have been outdated by nuclear weapons. This puts us in the current predicament that we face in the States of Washington and Oregon. The Army is moving our Pacific nerve gas stockpile back from Okinawa to Hermiston, Oregon. In order to do this safely we find that we will have to spend \$6 million and that towns and parts of cities will have to be evacuated. It seems unlikely that this sort of procedure would be followed in wartime yet if it is needed now, it certainly is needed then.

We further learn that in order to shift to the so-called binary nerve gas munitions, nerve gas munitions in which the components would not be mixed until the weapon was launched and hence would be safer for use, we would have to spend about \$1 billion. This amounts to one fourth of the Federal Water pollution program, inadequate as it is, recommended recently by President Nixon. I think there are higher priorities than new nerve gas munitions.

Perhaps the most ominous aspect of our chemical policy was the recommendation

originally made by the Army to dump the poison gases in the ocean. It was subsequently shown by the National Academy of Science panel that the mustard gas dumped in this fashion might well poison all marine life in a 600 square-mile area of the Atlantic. Fortunately the plan was abandoned.

We must look at our warfare policies in the same way that we look at our other practices and policies. We choose in an insane way to tear limb from limb with explosives and steel but in the larger sense this does more damage to man than it does to nature. The same is not true of widespread use of chemicals and poisons. Should a ship carrying defoliants be sunk in a coastal area rich in marine life, what would be the effect? If we deforest an area the size of Massachusetts for twenty or thirty years, what will be the future result? If we scatter chemicals over our own brushland and rangeland, what are the long-term consequences? The answer will be found in your investigations and those of others concerned about our future. The answer is found in the words of Adlai Stevenson when he said:

"We travel together, passengers on a little space ship, dependent on its vulnerable supplies of air and soil . . . preserved from annihilation only by the care, the work, and the love we give our fragile craft."

Mr. HANLEY. Mr. Speaker, I want to join with my colleagues in paying a well-deserved tribute to MAX McCARTHY. As we all know, Max was not a candidate for reelection to the House this year, and because of that we are all the poorer.

During the 6 years that I have had the pleasure of serving with MAX, we became close friends. I often sought his counsel, and I always looked upon him as a distinguished legislator. We will miss MAX, but unless I am sadly mistaken, we will not soon see MAX retire from the public scene. He has too much to offer and he is too energetic to toss in the towel on what is still at this point a very promising career in public service.

To MAX we say not goodbye but au revoir, and hurry back.

Mr. RYAN. Mr. Speaker, I commend the distinguished gentleman from West Virginia (Mr. HECHLER) for taking this time to pay tribute to our colleague from New York (Mr. McCARTHY), and I join my colleagues in regretting that he will not be with us in the 92d Congress.

It has been a pleasure to serve with RICHARD D. McCARTHY during the past 6 years. He has been a valuable Member who has served his constituency with distinction. His efforts with respect to the manufacture and stockpiling of biological warfare material helped to alert the public, creating pressure for a change in policy. His concern about the degradation of our environment was manifest in his actions on the Public Works Committee. His philosophy of government is reflected in his legislative record. As he leaves the House of Representatives for other pursuits, we wish RICHARD McCARTHY success in his future endeavors.

Mr. ROSENTHAL. Mr. Speaker, we mark this week the end of the 91st Congress. Many of us are happy to see it end for it has brought, more than most other Congresses, a tide of disappointments and anxieties unbalanced by any great accomplishments.

Yet there were great awarenesses which came upon this Congress. One of these was a belated sense of what we are

doing to our environment through the sometimes deliberate, sometimes careless use of natural resources. Making us aware of these problems was, above all people and all events, Congressman RICHARD D. "MAX" McCARTHY.

For many reasons, none of them truly sufficient, MAX McCARTHY will not be a Member of the 92d Congress. He should be, for our own good. He was, more than any other Member I can recall, a conscience of the House. When we wanted to forget environmental considerations—whether for commercial, or strategic, or political reasons—he kept talking. Not always persuasive, not always prudent, not always right, he was, right or wrong, always prodding, reminding, questioning, doubting.

I do not know if MAX McCARTHY will ever be back in the House or in the Congress. He tried for the senatorial nomination of the State of New York this year and lost. In losing, he gave up his House seat. He should have won that nomination for the good of New York, of his party, and of his country. But if justice does not always prevail for individual Members of Congress, neither does it always protect the institution either. For the Congress is the loser and it may never regain its loss.

I hope it does. I hope MAX McCARTHY rejoins us soon. But I know that he can and will find outlets for his idealism and enthusiasm as well outside Congress as he did within. May he succeed where we fail, perceive clearly where we are blinded, and provide us with a vision which we often, and deeply, lack.

MAX McCARTHY should, in Emerson's words, "find consolation in exercising the highest functions of human nature." He said in "On Self-Reliance":

He is one who raises himself from private considerations and breathes and lives on public and illustrious thoughts.

Mr. JACOBS. Mr. Speaker, not figuratively, but literally, we can all breathe easier because the Honorable RICHARD D. McCARTHY has served his country in Congress. But he has stood for more good than just clean air and stood against more evil than just chemical and biological warfare. His departure from the House can only be suitably remedied by his return to the Congress in the near future.

GENERAL LEAVE

Mr. HECHLER of West Virginia. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to revise and extend their remarks and to include extraneous material, in connection with the service in this body of the Honorable RICHARD D. McCARTHY, of New York.

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

There was no objection.

A TRIBUTE TO THE HONORABLE MICHAEL A. FEIGHAN

The SPEAKER. Under a previous order of the House, the gentleman from

Ohio (Mr. VANIK) is recognized for 60 minutes.

Mr. VANIK. Mr. Speaker, I take this occasion to give recognition to our colleague, MICHAEL A. FEIGHAN, who has represented the 20th Ohio District since January 1943.

It has been my honor to be associated with Mr. FEIGHAN during the time I have been privileged to represent an adjoining district in Greater Cleveland. During these years, Congressman FEIGHAN and I have worked together in the interest of our constituents, our State and Nation.

After 28 years of service in our Nation's Capital, Mr. FEIGHAN can look back on an eventful and illustrious career. During this period he became the first ranking member of the important Committee on the Judiciary and chairman of the Subcommittee on Immigration and Nationality. He also served on the Committee of Merchant Marine and Fisheries which this year enacted important and significant legislation for the revitalization of the merchant marine.

Certainly there could be no more devoted, patriotic, or able representative of the people than MIKE FEIGHAN. His record, since he first came to serve in these historic Halls, has been one of capable achievement and strong devotion to duty.

I heartily congratulate him upon his fine service and wish for him and his devoted family all choicest blessings of continued good health and happiness for many years to come.

Following is a list of the long and distinguished awards received by our colleague in his years of service:

HONORARY AWARDS, CITATIONS AND DEGREES TO HON. MICHAEL A. FEIGHAN, U.S. REPRESENTATIVE, 20TH DISTRICT, OHIO

1946: Awarded the Grand Cross of the Royal Order of the Phoenix by the King of Greece, in recognition of outstanding services.

March 27, 1955: Testimonial from United Hungarian Societies of Cleveland, Ohio, expressing appreciation to "The Honorable Michael A. Feighan * * * who has so ably fulfilled the office of Representative of the people of his Congressional District by performing his duties efficiently and honorably, rendering valuable assistance to thousands of Hungarians whose cause needed hearing and understanding * * * through his undaunted efforts and wisdom caused to be enacted legislation enabling the people of Hungarian descent to receive permanent domicile making them eligible for United States citizenship * * *".

December 1959: Awarded "Vigilant Patriot Honor Plaque" by All-American Conference to Combat Communism for address on "Realities of Soviet Strategy" which award is given annually for "Acts of vigilant patriotism exposing the fraudulent claims of Communism in its attack upon the American Way of Life."

1960: President of the Italian Republic conferred the Cross of Knight Commander of the Order of Merit "for your interest in the problems of emigration."

April 24, 1960: Awarded plaque by the American Friends of Anti-Bolshevik Bloc of Nations "In recognition of his firm stand and staunch efforts for the Liberation and Sovereignty of all Enslaved Nations as well as against Communism and Russian Colonial Imperialism." (Cleveland, Ohio)

July 20, 1960: Awarded Freedom Plaque for Distinguished Service by the United Anti-

Communist Action Committee of Western New York.

February 10: Awarded Certificate of Honorary Membership by the Ukrainian Association of Victims of Russian Communist Terror (Toronto, Canada) "For constant endeavors in fighting communist Godless ideology and for defense of the problem of independence of Ukraine and other nations enslaved by Red Russian Colonialism."

January 1962: Elected Hibernian of the year.

January 30, 1963: Awarded Vigilant Patriot Recognition Award for public address—"History and Scope of Communism, and Threats of Communist Aggression." Presentation of award, May 11, 1963.

February 24: Presented Fifth Annual Award as the outstanding elected Democrat from Cuyahoga County in Memory of James Donnelly by the 33rd Ward Democrat Club of Cleveland.

May 18: Made a Brother Slovenian by the Organization of Slovenian Anticommunist Veterans at ceremony in Cleveland—"In grateful recognition for uncompromising stand against all forms of Communism and devoted work for the cause of all the Enslaved People of Eastern Europe."

February 1964: Received citation from United American Croats, American Society for Croatian Migration, "for his noble assistance to the subjugated nations and resettlement of refugees."

March 23: Awarded Vigilant Patriot Recognition Award for 1963 by All-American Conference to Combat Communism for public address "We Must Encourage Liberation of Captive Nations."

May 2: Received Freedom Award for "distinguished leadership in combatting Communism" from the Order of Lafayette, New York.

September 20: Awarded the Tenth Anniversary Commemorative Medal by the Assembly of Captive European Nations "In Recognition of Outstanding Services for the Cause of Freedom in East-Central Europe."

February 4, 1965: Awarded Patriotic Service Medal by American Coalition of Patriotic Societies.

May 26: Received Distinguished Service Award from The Kiwanis Club of Edgewater, Ohio "as a token of appreciation for Promotion of Kiwanis Ideals."

September 11: Received award from American Committee on Italian Migration (National Catholic Resettlement Council) "in recognition of his appreciation of the intrinsic worth of all human beings regardless of their origin; for bold initiative in championing the basic principles of equality; for his consummate and successful leadership in erasing discrimination in our immigration law; for a lifetime of meritorious and patriotic service to this country."

September 28: Received Merit Award of the Patriotic Order Sons of America the oldest patriotic organization in the United States.

October 23: Received Freedom Award by Hungarian Freedom Fighters Federation, Inc., for "having contributed outstanding service to the pursuit of liberty and justice for Hungary by his consistent stand against Communism and for the Liberation of Hungary."

November 27: Award of Merit from Cuyahoga County (Cleveland) Association for Retarded Children and Adults and its affiliates "In recognition of outstanding and unselfish service in helping the retarded of Cuyahoga County."

January 15, 1966: Award from The German American Civic League "In recognition of his outstanding leadership in the service of our country and his warm regard and friendship to The German Americans of Greater Cleveland this symbol of our lasting appreciation."

February 13: Plaque from The Parishoners of St. Maron Church, Cleveland on occasion

of 50th Anniversary of Church, for "long and dedicated service to the people of this community—for his warm-hearted willingness to help other people at all times—and especially for his sponsorship of the new Immigration Law which will permit thousands of divided families to be reunited in this country."

March 13: Award from United Hungarian Societies, Cleveland—"In appreciation of his unique contribution to our humanitarian immigration law and his long, dedicated service to the people."

May 15: Award from The Slovak League of America, at its 40th Annual Meeting held at the Voyager Motel Inn, Youngstown, Ohio "for Distinguished service."

June 4: Received Founders Award from The Association of Immigration and Nationality Lawyers "in recognition of his keen sense of appreciation of the problems involved in the Immigration and Nationality policy of the United States, his forthrightness in dealing with them, and his affirmative steps to ease the hazards to the nobility and dignity of individuals regardless of race, color, creed or national origin." Issued by the authority of the Board of Governors and presented at the Park Sheraton Hotel, New York City, New York.

July 23: Awarded Certificate of Honorary Member by Victory Lodge No. 167, Order Italian Sons and Daughters of America, Cleveland, Ohio, "in appreciation and as a token of gratitude for the loyal and cooperative contributions and efforts during the past years which aided immeasurably the attainment by the Lodge of its high standards of fraternalism and brotherhood and respect in our community, and further, for the sincere promotion of the advancement of all Americans of Italian descent in this great country."

June 10, 1968: Decoration of "Grande Officiale" in the Order "Al Merito della Repubblica" bestowed by the President of the Italian Republic. Insignia awarded by Italian Ambassador Egidio Ortona, at Italian Embassy in Washington, D.C.

May 2, 1969: American Immigration and Citizenship Conference Award "for deep and continuing concern for a sound U.S. Immigration policy" presented at the 15th Anniversary Conference of the American Immigration and Citizenship Conference held at the Hotel Plaza in New York City.

September 24: Presented Distinguished Service Award for outstanding record in Congress, service to the people of Ohio and the Nation, Executive Conference, National Order of Patriotic Sons of America, Valley Forge, Pa.

Special Recognition Award, presented by Governors' Committee, Great Lakes Commission, upon observance of 10th Anniversary of the St. Lawrence Seaway.

October 11, 1970: United States Delegate to the 58th Conference of Inter-Parliamentary Union held in The Hague.

Mr. Speaker, this distinguished American has served his Nation, his State, and his district with devotion, with trust, and with high purpose.

He deserves the gratitude of every citizen.

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

Mr. VANIK. I yield to the distinguished gentleman from Illinois.

Mr. PUCINSKI. Mr. Speaker, I would like to join with the distinguished gentleman in the well, the gentleman from Ohio, Mr. VANIK, in paying tribute today to our colleague, MIKE FEIGHAN. There is no question but as the chairman of the Subcommittee on Immigration of the Committee on the Judiciary charged with matters involving immigration

MIKE FEIGHAN has shown deep compassion for this problem. He has recognized the heterogeneous makeup of America and her people. He has helped restructure a meaningful immigration bill which has opened up new opportunities for reuniting families in this country. He has made enormous contributions as chairman of that subcommittee in dealing with these very complex and complicated problems.

MIKE FEIGHAN has indeed served with great distinction on the Committee on the Judiciary. He has brought great leadership to this House upon the many questions that have been debated here on the floor. We are surely going to miss him and his good judgment, and his good leadership for indeed he had complete understanding of the great responsibilities of that committee. It has been good that we have had a Member with his views and with his understanding on these matters.

Mr. Speaker, I am sure that many of our fellow colleagues will join me in expressing deep sorrow that MIKE FEIGHAN will not be with us in the next session. Again, I say we are going to sorely miss MIKE FEIGHAN and his wise counsel.

Mr. Speaker, I congratulate our distinguished colleague, the gentleman from Ohio (Mr. VANIK), for taking this time to pay this tribute to MIKE FEIGHAN.

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

Mr. VANIK. I am very happy to yield to the distinguished Speaker of the House.

Mr. MCCORMACK. Mr. Speaker, I am very glad to join with the gentleman from Ohio (Mr. VANIK) in the words of praise he has just spoken about our distinguished friend and colleague, the gentleman from Ohio (Mr. FEIGHAN).

MIKE FEIGHAN has served in this body with great dedication and devotion—a man of unusual ability, he has displayed it courageously on many occasions. He has been a strong supporter of progressive legislation—legislation that is in the best interests of the people of our country. We always found MIKE FEIGHAN interested in and fighting for legislation that strengthened the family life of our country, such as social security, minimum wage advancements, low-cost housing and in other fields as well, such as education, and in the field of conservation and the improvement of our environment and in so many other fields which mean so much to the hopes and aspirations of countless of millions of Americans.

MIKE FEIGHAN is truly a man of the people and his record clearly is evidence of that fact, as I have briefly alluded to his work in the remarks I have just made. He has endeared himself to the Members of the House by his wonderful qualities, by his gentle and understanding mind.

He was always dedicated in his work, in his work on the committee and his work on the floor of the House of Representatives.

Reference has been made to the very delicate assignment that he had as chairman of the subcommittee on immigration of the House Committee on the Ju-

diciary. We all know how sensitive the work of that subcommittee is. We all know the outstanding manner in which MIKE FEIGHAN as chairman of that subcommittee and as a member of that committee prior to his becoming chairman, performed the responsible and, as I have said, the sensitive duties of that particular subcommittee.

His work on the revamping of our immigration laws has been outstanding, as the gentleman from Ohio (Mr. VANIK) has already mentioned. For many years that problem has been a subject of discussion in the Congress of the United States. But year after year went by and no final action was taken until under the leadership of MIKE FEIGHAN our immigration laws were modernized and brought up to date with our times. In this respect he will always be remembered for the great work he did. His work has not been confined to that field. His work covered the whole broad field of both Government and of human action.

MIKE FEIGHAN is not only an outstanding legislator but a great American. The friendships he has made in this body are legion and they are friendships based upon respect because MIKE FEIGHAN possesses a wonderful mind, a noble mind, and an understanding mind in his associations not only with his colleagues but with his fellow human beings. For it might well be said of MIKE FEIGHAN that he is one of God's noblemen. MIKE FEIGHAN has served here and left his favorable imprint upon the legislative history of our country. He leaves here with the deep respect as well as the profound friendship of all of his colleagues.

I know I expressed the sentiments of my colleagues when I sent a message to MIKE FEIGHAN that we all sincerely hope that God will continue to bless him and his loved ones for many years to come and we know he will carry on a fruitful and active life, in the interest of good causes and in the interest of this great country of ours.

Mr. VANIK. I thank the distinguished Speaker for his inspiring remarks.

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

Mr. VANIK. I am happy to yield to the distinguished minority leader.

Mr. GERALD F. FORD. I am deeply grateful that the gentleman from Ohio has yielded, because I want to join the distinguished Speaker in paying tribute to MIKE FEIGHAN. It was my good fortune to know MIKE FEIGHAN a great many years. MIKE FEIGHAN was a gentleman of the highest possible caliber. MIKE FEIGHAN was the kind of person whom everyone liked and everyone respected, whether they agreed with him or not.

MIKE was an invaluable member of a very vital committee in this House of Representatives.

The thing that I most liked about MIKE as a legislator was that, although he was a member of the Democratic Party, MIKE was an Independent when he felt deeply that he should differ from party policy. This, to me, is an outstanding quality, whether it is in a Republican who differs with his party or a Democrat who differs with his party. MIKE

voted his convictions, and to me that is the most important quality in a legislator in this day and age.

Most of all I enjoyed MIKE's friendship. We often got together on social occasions. He was a gentleman of the highest caliber and quality. I think it is a tragedy that MIKE will not be with us in the next session of the Congress, but as the distinguished Speaker said a few moments ago, MIKE's legislative record has been indelibly written in the CONGRESSIONAL RECORD over the long years that he served. It is a record that MIKE can be proud of. It is a record his family can look back on with pride as time passes.

I wish to MIKE and his loved ones the very best of health, happiness, and continued success.

Mr. VANIK. I thank the distinguished minority leader.

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

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

Mr. SCHWENGEL. I thank the gentleman for yielding to me in order to give me this opportunity to add my words of accolade on this occasion to a great Congressman. I cannot claim that I knew MIKE FEIGHAN personally, for I did not. But I observed him, and I can testify to his dedication. I can do that because on several occasions I had some problems with people in my district who could only get relief by an act of Congress. I was impressed by the fact that I could get an appointment to talk to him about it, and to note that he was genuinely interested. So he had in large measure something all of us ought to have more of and that is a deep concern for the problems of people, and be willing to do what he could to bring relief and improvement to the status of people.

I noted also as I observed him here as a Congressman that he had a great sense of dedication to his country. He was patriotic in the very finest sense, and because he was, he could take strong positions, and did often, in behalf of his country, and they were reflected in his committee work. They were reflected in his activity here on the floor.

I want to add also that I observed him on the floor regularly, and I imagine his attendance record is by comparison very good.

Again, while I cannot speak of him as a friend, I can speak of him as a great Congressman, and I join with his many friends in wishing him many happy years in the days ahead.

Mr. MADDEN. Mr. Speaker, I wish to join with Congressman CHARLES VANIK and his Ohio colleagues in paying tribute to our friend and longtime Member of Congress, MICHAEL FEIGHAN. MIKE and I were sworn in Congress on the same day in January 1943 at the opening of the 78th Congress. He has indeed been a hard-working and dedicated Member of this body and a faithful public servant to his constituency from the 20th Congressional District of Ohio.

Before coming to Washington he had exceptional experience in the Ohio State Legislature and was elected minority floor leader during his service in that body,

which gave him a solid foundation for his service in Congress. As a member of the Judiciary Committee he has accomplished outstanding success as chairman of the Subcommittee on Immigration and Nationalization.

MIKE has indeed made an outstanding record and, by reason of industry and ability, accomplished a great deal for his congressional district and the State of Ohio. His legislative record has been in support of the great rank and file of citizenry, especially in education expansion, housing, health and welfare, antipollution, transportation, and highway modernization. He served as U.S. delegate to Interparliamentary Union 47th Conference held in Rio de Janeiro to the 49th Conference held in Tokyo and the 58th Conference held in The Hague. Also delegate to Intergovernmental Committee on European Migration held in Geneva, Switzerland, in 1963. Delegate to the Provisional Intergovernmental Committee for European Migration held in Brussels in 1951.

I wish to join with other Members in extending to MIKE my congratulations on his congressional service and to wish him many years of good health and happiness and success in future years.

Mr. BETTS. Mr. Speaker, it is a source of genuine regret to me to see MIKE FEIGHAN leave Congress. Our friendship goes back many years to the Ohio House of Representatives where he served with distinction as minority leader. I have, therefore, had the opportunity to observe his work at both the State and National level and can say without qualification that MIKE has always been intensely interested in the welfare of his country, of his State, and of his congressional district. His record of achievements is most impressive and I am sure that I speak for his many friends in Congress when I say that he will be missed very much when Congress convenes next year. As a personal friend and admirer of his dedicated public service, I extend to him my best wishes for the future.

Mr. PATMAN. Mr. Speaker, it is eminently fitting that we pause today to salute our good friend and distinguished colleague, an Olympian of the House, the Honorable MICHAEL A. FEIGHAN, who is leaving the House after a long and meaningful career of devoted public service. Having served with MIKE throughout his 28 years as a dedicated and able Member of this body, I am surely going to miss his presence here. He has been a wonderful Representative of the people of the 20th District of Ohio and of the Nation, and all who are privileged to know him cherish his warm and loyal friendship. He is in every sense a great American and a great human being.

MIKE has served with distinction on the House Judiciary Committee where he is the second ranking majority member and chairman of the important Subcommittee on Immigration and Nationality. He has served with equal vigor and sagacity on the House Merchant Marine and Fisheries Committee. In all of his work, MIKE has moved efficiently with unflinching courtesy, pleasing humor, and kindly dignity. His wise counsel has been

available to all and his consummate statesmanship has endowed our proceedings with great distinction. His decades of scrupulous and scholarly attention to thousands of legislative chores have not dulled his perceptions of people nor removed him from an awareness of human needs, but have instead made him acutely sensitive to the efforts of our society to achieve the objectives of American democracy. And all our deliberations have been illuminated and invigorated throughout by his deep spiritual devotion.

Mr. Speaker, I know I speak for all my colleagues in wishing MIKE the best that life has to offer as he leaves the House.

Mr. MORGAN. Mr. Speaker, it is hard for me to realize that MIKE FEIGHAN will not be with us when the 92d Congress convenes. He was here when I came to Congress and has been active in matters involving U.S. foreign policy and our relations with other governments during my entire service with the Committee on Foreign Affairs.

He is recognized throughout the world for his work in the field of immigration and in dealing with the problems of refugees.

MIKE FEIGHAN has always been an active and effective foe of communism and a devoted champion of the people of Eastern Europe who are the victims of Soviet aggression. I do not know whether it will be possible for us to debate any future foreign aid program on the floor of the House without his defense of the rights and interests of the people behind the Iron Curtain.

All of us regret that MIKE is leaving us. We will miss him not only because of his knowledge and the quality of his counsel, but also as a good friend and companion.

He deserves an opportunity to relax and enjoy life, and I wish him the best of health and happiness during his retirement, but the House will not be the same without him.

Mr. GIAIMO. Mr. Speaker, I am proud to join today in this tribute to our esteemed colleague and friend, the gentleman from Ohio (Mr. FEIGHAN), who leaves us this week after 28 years of distinguished service to Congress and the Nation.

MIKE FEIGHAN's record of accomplishment in this body since 1942 has earned for him the sincere respect and admiration of his colleagues. His 12 terms in Congress show the regard in which he is held by the people of the 20th Congressional District of Ohio.

Yet, Mr. Speaker, MIKE FEIGHAN has also represented another constituency—the citizens of other lands who have immigrated to America. As chairman of the House Judiciary Subcommittee on Immigration and Nationality, he has dedicated himself to making the American dream come true for thousands of foreign-born men, women, and children. He has earned the undying gratitude of these immigrants and has kept alive the hopes of untold millions who seek to reach the shores of the United States.

As we pay tribute to MIKE FEIGHAN, I am reminded of the inscription on the Statue of Liberty which reads in part, "I lift my lamp beside the golden door."

Surely, MIKE FEIGHAN has done his part to keep that lamp burning brightly. Of this achievement he has every reason to be proud.

As MIKE FEIGHAN prepares to relinquish the burden of public service, I thank him for his efforts and for his friendship and wish him and his family every happiness in the years to come.

Mr. SPRINGER. Mr. Speaker, I welcome this opportunity to join the gentleman from Ohio (Mr. VANIK) in honoring our colleague, the Honorable MICHAEL A. FEIGHAN, as he concludes 28 years of distinguished service in the Congress of the United States.

MIKE and I have been friends for years and I am sorry to see him leave our midst. Shortly after entering the House I was chatting with MIKE one day and learned of his relationship to the Feighan family in my congressional district. The Feighan name is well and favorably known in the small Illinois community of Ivesdale in Champaign County where my home is located. In fact, MIKE's father was accustomed to make annual visits to Ivesdale. I know MIKE's numerous cousins in that vicinity. They are fine people.

MIKE can carry with him into his well-earned retirement the knowledge that he has a host of friends in this House, on both sides of the aisle. He will be greatly missed.

Mr. HATHAWAY. Mr. Speaker, it is a privilege for me to join my colleagues today in tribute to our friend and distinguished colleague from Ohio, the Honorable MICHAEL A. FEIGHAN, who, at the close of the present session and after 28 years of service to this Nation, his great State, and the people of the 20th Congressional District of Ohio, is retiring from the House of Representatives. MIKE has been an effective voice of his constituents and an able Member of the Congress. We are all fortunate to have been associated with him.

To the gentleman from Ohio and to his family go my very best wishes for future happiness, good health, and success.

Mr. HANLEY. Mr. Speaker, somewhat sadly, this month we are marking the close of one of the most distinguished careers in the House of Representatives with the retirement of our colleague, MIKE FEIGHAN. For several decades, MIKE has conscientiously served the best interests of his constituents, his State, and the Nation. His service on the Judiciary Committee and his deliberate dedication on the Immigrant Subcommittee stand as a memorial far more articulate than any tribute we could pay to him here in the Chamber today. But, his parting cannot be allowed to pass without our taking the time to express our appreciation for his counsel and service and our sadness that he will not be with us when the House convenes next month. We wish him an abundance of good health and many more fruitful years of public service.

Mr. JOHNSON of California. Mr. Speaker, as one who has long been associated with organized labor, I knew the reputation of MIKE FEIGHAN long before I was privileged to come to the House of Representatives and serve with him in these Halls of Congress.

MIKE was known throughout the country as one who consistently votes for the rights of labor to organize and bargain collectively. He was also known as a vigorous advocate of various programs of great importance to the workingman and the family owner. These include adequate housing, adequate wages, decent medical attention, and the opportunity through social security for the workingman to retire without the fear of poverty or the fear of becoming a burden on his children. MIKE was also a fighter for equitable tax treatment for the working family man and a battler in the war against crime through which we hope to make our city streets safe again.

During the 12 years that I have served in the House of Representatives, I have had a firsthand opportunity to see how this dedicated public servant earned and deserved this tremendous reputation. He is a legislator who has constantly done his homework, knows his subject and has never been bashful about speaking his mind. It has been my experience that when MIKE has spoken out, he has proven what he is talking about and he has proven to be right.

It has been my privilege on several occasions to appear before his Subcommittee on Immigration and I can say that never have I been before a more honest, dedicated, and fair committee chairman as those times when I have testified before his committee. MIKE FEIGHAN is going to be missed in the Congress but the legislative record achieved during his 28 years of service in the House of Representatives will stand as a monument to this outstanding citizen. Let us all extend to our colleague best wishes for whatever the future holds for him and his family and that we may follow his example as a hardworking Representative.

Mr. KASTENMEIER. Mr. Speaker, I join my colleagues today in paying tribute to MIKE FEIGHAN. Elected to Congress nearly three decades ago, MIKE is one of the best liked Members of the House. As a ranking Member of the House Committee on the Judiciary, second in seniority only to Chairman CELLER, he has attended to his duties diligently, motivated at all times by a desire to do those things he felt were in the best interests of our country. When I was new on the Judiciary Committee, he went out of his way to be of help to me and we have continued to consult on matters relating to the Judiciary Committee. He has special expertise in the field of immigration and naturalization, the legislative responsibility of the subcommittee he chaired, and I always appreciated his help in matters in this area.

Mr. Speaker, I wish MIKE FEIGHAN and his family the best in the coming years and I know he will continue his efforts to serve his Nation and his fellow citizens.

Mr. RYAN. Mr. Speaker, I am pleased to join our distinguished colleague from Ohio (Mr. VANIK) in this tribute to our departing colleague from Ohio (Mr. FEIGHAN). It has been a pleasure for me to have known and worked with MIKE FEIGHAN in the House of Representatives. In addition, I served on the Judiciary

Committee with him where he played such a significant role as chairman of the Subcommittee on Immigration and Naturalization. It will be strange indeed not to have MIKE FEIGHAN in our midst when Congress reconvenes in January. I want to take this opportunity to extend my best wishes to MIKE for the future. I hope that the years ahead will be years of continued fulfillment for him.

Mr. RODINO. Mr. Speaker, for more than two decades I have served with MIKE FEIGHAN, both as a colleague in the House and on the Judiciary Committee.

He is a man who has dedicated almost half his life in the public service and has ably represented the people of Ohio's 20th District. But in a broader sense, his leadership was in no small measure responsible for correcting some of the most flagrant injustices in our immigration laws. Also, his compassion and fruitful efforts have been felt by refugees of all origins who have fled political persecution, and I know that these achievements must be a source of great satisfaction to him.

As one who has worked closely with him, I am happy to salute him and to extend my warm good wishes for his happiness.

Mr. ANNUNZIO. Mr. Speaker, I am pleased to join my distinguished colleague, the gentleman from Ohio (Mr. VANIK) in taking this special order so that I may join my fellow Members in paying tribute to Hon. MICHAEL A. FEIGHAN, of the 20th District of Ohio, who is retiring at the end of this session.

When MIKE FEIGHAN first took the oath of office in this House, our country was battling for its very survival. He has seen a triumphant America emerge from the ravages of World War II only to be confronted with a lasting cold war struggle. MIKE FEIGHAN has been in the forefront of the effort to insure that our country remains strong and free. On three separate occasions, he has been awarded the "Vigilant Patriot Honor Plaque" by the All-American Conference to Combat Communism. MIKE FEIGHAN's deep, abiding faith in democracy and freedom has never been limited only to those of us who enjoy their bounty in our own land. For years he has been a good friend to, and an advocate for, the cause of liberty for those caught in the grasp of communism.

MIKE's concern for these people has mirrored his faith in the basic decency of free men. He has always felt that any man has a right to direct his own destiny. He has also fought for the principle that those who wish to take part in the great American experiment should be allowed to do so.

Many of us will recall his role in the fight to have a national quota system eliminated from our immigration policies. It was largely due to his leadership and guidance that the immigration reform bill was passed. Many future American generations will, indeed, benefit from his diligence and persistence in their behalf, and will remember him with respect for his accomplishments.

For the past 28 years MIKE FEIGHAN has served his district well in this House. He has championed its interests persistently. He has labored for his constituents

individually and as a group. They have expressed their confidence in him by returning him to Congress 14 times. We who have worked with him closely know that their trust has been well placed. Those who have served under his chairmanship of the Judiciary Immigration Subcommittee and the Joint Committee on Immigration and Nationality Policy have learned to admire his abilities.

MIKE FEIGHAN leaves this body knowing that he carries with him the respect and admiration of his colleagues, and that we all wish him Godspeed during his well-earned retirement.

Mrs. Annunzio joins me in extending to MIKE, his devoted wife, Florence, and to his son and daughter, William Matthews and Fleur Marie, our best wishes for abundant good health and many rich and happy years to come.

Mr. CARNEY. Mr. Speaker, as that great Ohioan, my colleague in the delegation, the Honorable MICHAEL ALOYSIUS FEIGHAN, leaves this House which he has served so well and for so long, I wish to add my voice briefly to those who have already wished him a happy and productive retirement.

His achievements have been described at length by those better qualified than I to judge them. His character may be judged by anyone who has had the good fortune to know him. I attest to his attributes of courtesy, cordiality, even exuberant good will. He has often taken great pains to help me in learning to perform my duties, easing the way for a newcomer in this great legislative body whose procedures are familiar and dear to him.

He has been a credit to the district he has represented, to the House of Representatives he has loved, and to the country to whose defense, welfare, and success he has devoted a lifetime of public service. I assure him of my lasting respect and hope that I may profit by his example.

I wish MIKE FEIGHAN and his family many years of health and happiness.

Mr. BOLAND. Mr. Speaker, I am delighted to join my colleagues in a tribute to the Honorable MICHAEL A. FEIGHAN, of Ohio.

The Honorable MICHAEL A. FEIGHAN of the Ohio 20th District has won the respect of everyone familiar with his record of accomplishment. As second-ranking majority member of the Judiciary Committee, he long has had an established reputation as an expert in matters affecting the Federal bench and the judicial branch generally. And, as second-ranking majority member of the Joint Committee on Immigration and Nationality Policy, he was largely responsible for major immigration reforms urged upon Congress by President Lyndon B. Johnson and enacted in 1965.

A graduate of Princeton University and the Harvard Law School, MIKE FEIGHAN entered politics in the middle of the Great Depression and was elected to the Ohio State Legislature in 1937. Here he excelled to the point that in 1942 he received the Democratic nomination for Congress in his district and was duly elected. Over the past 28 years, during which he has been consistently reelected, he has worked in the interest of the New

Deal, Fair Deal, New Frontier, and Great Society programs, while at the same time supporting many time-honored traditions.

In this manner, he won the backing of conservatives and liberals combined in Cuyahoga County, which he carried again and again with overwhelming majorities. That he should be leaving the Congress at the close of this session is a matter of the greatest regret, in my estimation, and that of all who have had the opportunity of working with him.

A man of honor, integrity, and great ability, he has served the country and the Congress to the advantage of us all.

Mr. DELANEY. Mr. Speaker, I am glad to have this opportunity to join my colleagues today in paying tribute to our distinguished colleague, the Honorable MICHAEL A. FEIGHAN.

MIKE has been a highly esteemed Member of this body for more than a quarter of a century. Through the years he has devoted his time and talents with diligence and great sincerity to the interests of his constituents in Ohio's 20th Congressional District.

An experienced and highly able legislator, MIKE served with distinction in the Ohio Legislature where he was minority floor leader prior to devoting his life to serving the Nation in Congress.

He has been a ranking and highly valued member of the Committee on the Judiciary where he developed a special expertise and unique ability in the extremely complex and difficult area of immigration law. His compassionate concern for the immigrant has contributed significantly to improving our immigration policies over the years.

I join my colleagues in wishing him the best of everything in the years to come, and hope he will visit with us from time to time to renew old friendships, and share with us his keen insight into national and international problems.

Mr. UDALL. Mr. Speaker, when Congressman MIKE FEIGHAN retires from the House this month, millions of Americans will be losing a champion of the great humanitarian and sometimes unpopular causes that have marked the quarter-century of his service. Born of a prominent Ohio family, MIKE FEIGHAN nevertheless chose to be the friend of the workingman, the elderly, and the poor. And he sided with them on the historic legislative struggles of our time—civil rights, medicare, minimum wage, social security, and so on. Many believe his most notable achievement is found in this country's increasingly fair and progressive immigration laws. The Immigration Act of 1965—for which he can claim much credit—set forth a new and enlightened policy which will benefit this Nation and its minorities for decades to come.

MIKE FEIGHAN has served his State and the Nation with purpose, dignity, and distinction. May the years ahead be as happy and productive as those he has given this House.

Mr. FRIEDEL. Mr. Speaker, when it was my privilege to first enter the House, I met the distinguished gentleman who has so ably represented the 20th District of Ohio. We almost immediately established a rapport and became friends be-

cause of our mutual interest in those matters which benefited our districts and the Nation.

It was in November 1942 when MICHAEL A. FEIGHAN was first elected to Congress and became one of the youngest men ever elected to the House of Representatives. His rise was spectacular and not unexpected because of his native and in-born talents, brilliant mind, and great personality. After 14 consecutive terms totaling 28 years of dedicated service to his great State of Ohio and the Nation, he is the 15th ranking Member of the House of Representatives, the first ranking member of the important Committee on the Judiciary, and chairman of its Subcommittee on Immigration and Nationality.

MIKE FEIGHAN, like myself, represents large urban centers of peoples of many ethnic backgrounds. It was, therefore, natural that our interests would be quite similar. That is why both he and I are interested in people of foreign origin. At a time when immigration laws must be modernized and liberalized to meet current realities and solve present problems, it was MIKE FEIGHAN who fought for more just immigration and naturalization laws. It was he who advanced legislation to give refugees protection from persecution for political and religious beliefs.

During the past 28 years he has amassed a record of devoted, dedicated service matched by few men in congressional history. The fact that he will not return as a Member to this House, will leave a void that will be most difficult to fill.

Not only is this illustrious Congressman well educated, having graduated from both Princeton and Harvard Law Schools, but he has also received international recognition by the University of Munich, which in 1955 conferred the honorary doctor of law degree upon him.

In further recognition of his achievements, he was given the Founders Award by the Association of Immigration and Nationality Lawyers in 1966.

This great legislator, this dedicated public official, is above all things a great human being who has given his talents to the Nation. I am sure his interest in public affairs will continue unabated and he leaves this Congress with the love, esteem and best wishes of all his colleagues for a bright and successful future.

Mr. ZABLOCKI. Mr. Speaker, farewells need not be sad—when what remains is the memory of a man who performed his duty faithfully. Today, we bid such a farewell to our distinguished and esteemed colleague from Ohio, the Honorable MICHAEL A. FEIGHAN.

His departure from this body in which he has served for nearly three decades does indeed sadden us. And yet, he leaves behind a record of achievement that should serve as an example to all of us who remain. He leaves too with the promise of returning periodically to advise and counsel his many colleagues and friends.

Since 1942, when he was first elected to the 78th Congress, MIKE FEIGHAN has represented his constituents with a con-

stant and faithful concern for their interests.

However, it is his outstanding work as chairman of the House Judiciary Committee's Subcommittee on Immigration and Nationality that has been most recognized. In addition, he has also served as a member of the Select Commission on the Western Hemisphere Immigration and as a member of the American delegation to the Interparliamentary Union Conferences. For his many distinguished efforts in this area Congressman FEIGHAN was presented in 1966 with the Founders Award from the Association of Immigration and Nationality Lawyers.

Mr. Speaker, I am sure you would agree that the enlightened immigration laws of our country stand as a lasting tribute to his efforts over the years. Many who now proudly claim the United States as their adopted country shall always be grateful to MIKE FEIGHAN.

My wife, Blanche, joins me in expressing the sincere hope that MIKE and his lovely wife, Florence, take with them into retirement the knowledge and satisfaction of a job well done. May their days remain rich with joy and fulfillment.

Mr. HECHLER of West Virginia. Mr. Speaker, I am pleased to join with my colleagues in praise of our good friend, Representative MICHAEL FEIGHAN, of the neighboring State of Ohio. I have always enjoyed the friendliest of associations with the gentleman from Ohio, and I am pleased to hear the many others who are wishing him well today. His has certainly been a long and useful service in this body, where he has contributed materially to the legislative process in the best sense.

Mr. ALBERT. Mr. Speaker, I am very pleased that the distinguished gentleman from Ohio has taken this time, today, to pay tribute to our distinguished colleague, the gentleman from Ohio (Mr. FEIGHAN). When the 92d Congress convenes we will miss the warm and friendly face of MIKE FEIGHAN, but while he may be absent in body, he will always have a place in the hearts of those who have had the privilege of serving with him.

MIKE FEIGHAN will leave this Chamber secure in the knowledge that he has given many years of devoted service to the citizens of his district, his State, and his Nation. As a member of the great Committee on the Judiciary and more specifically as chairman of the Subcommittee on Immigration and Nationality, he has played an important and vital role in some of the most far-reaching legislation enacted in this century. Countless new Americans who have come to this great country from some foreign shore owe, in large part, their grand opportunity to the tireless endeavors of MIKE FEIGHAN.

Mr. Speaker, I salute MIKE FEIGHAN for his service to the House, to our great country and indeed, to all humanity. All of us wish him the very best in the future.

Mr. TAFT. Mr. Speaker, I am pleased to join with my colleagues in paying tribute to my fellow Ohioan, the Honorable MICHAEL A. FEIGHAN, who is retiring from the Congress at the conclusion of this session of the 91st Congress.

MIKE FEIGHAN has had a long and distinguished career in the House. First elected to Congress in 1942, his constituents reelected him to every succeeding Congress by large majorities.

Perhaps best known for his outstanding contribution in the area of immigration and nationality problems, MIKE was author of the 1965 Immigration and Nationality Act.

The bill has become a landmark piece of legislation.

MIKE FEIGHAN will be missed by all who have had the privilege of working with him over the years.

Mr. ASHBROOK. Mr. Speaker, I am pleased that this time has been reserved to pay tribute to the distinguished service of the Honorable MICHAEL A. FEIGHAN spanning nearly three decades. As a fellow Ohioan and a colleague for one of those three decades, I join in expressing my admiration for the conscientious work he has performed in the Congress during that time.

His effectiveness as chairman of the Subcommittee on Immigration and Nationality of the Judiciary Committee is well known. We were fortunate to have the benefit of his leadership and expertise in this field so vital to establishing trust and understanding in the world community. MIKE FEIGHAN played a key role in the legislative process as it relates to immigration policy, and his imprimatur on the improvements made in this area stands as a testament to his many contributions.

Those of my colleagues who were not here in the 1950's may not be aware of MIKE's invaluable service as a member of the House Select Committee To Investigate Communist Aggression and the Forced Incorporation of the Baltic States. Although I was not here at the time myself, I know of his dedication to this assignment.

This committee was charged with inquiring, first, into ways by which once free nations were subjugated by the Communists, and second, with determining what happens to people living under Red rule. Beginning in late 1953 to December 3, 1954, the committee held 50 public hearings in the United States and Europe, taking the testimony of 335 persons, most of whom were eyewitnesses to Communist aggression against the enslaved nations and peoples of Central and Eastern Europe.

The findings, conclusions, and recommendations which emerged from this monumental effort have as much relevancy today as they did when first published. The committee rejected the then—and still—current propaganda campaign of "peaceful coexistence" between the nations of the free world and the Red regimes of the Communist bloc as the only alternative to preventive war. It recommended instead that the U.S. Government "immediately launch a positive, bipartisan, political offensive against the international Communist conspiracy and in behalf of the enslaved nations."

If the numerous specific recommendations made by that committee—on which MIKE FEIGHAN so ably served—to implement this strong overall policy had been

pursued, I am convinced that the tragedy of Czechoslovakia, Cuba, the persecution of Jews in the U.S.S.R., and many other subsequent examples of Communist barbarism could have been averted.

MIKE FEIGHAN's departure from the Congress saddens all of us who have known and respected him for his ability and integrity. While he and I differed on many issues, it has been a genuine privilege and pleasure to serve with him. As MIKE FEIGHAN ends his service in the House, I wish him many happy and productive years in his future endeavors.

Mr. STOKES. Mr. Speaker, it is with a sense of deep personal loss that I join my colleagues in paying tribute to an outstanding public servant. MICHAEL FEIGHAN's dedicated service to Ohio and the Nation offers an outstanding example for all of us in public life. My sense of loss is shared by the citizens of Cleveland and the body of the House of Representatives.

For almost three decades, MIKE has served the people of our fine city with loyalty, devotion, and dedication and I consider it to have been a great privilege to have been able to serve with him. As chairman of the House Judiciary Committee's Subcommittee on Immigration, we have relied upon his advice and assistance in aiding the many immigrants to Cleveland in resolving the problems that are unique to their situation. Many of my constituents have benefited from the advice he provided me and we shall miss having his expertise so readily available. His compassion and unselfish efforts in behalf of Cleveland's immigrant population is typified by the many tributes he has received, including an award from the United Hungarian Societies of Cleveland, a certificate of honorary membership by Victory Lodge of the Order of Italian Sons and Daughters of America, Cleveland, and an award of brotherhood by the Organization of Slovenian Anticommunist Veterans. The awards he has received for "unselfish service" and "outstanding leadership" are too numerous to mention.

I cannot really add anything to those tributes, I can only voice my own appreciation for the opportunity of knowing him and serving with him. I truly hope that the years ahead will be years of continued fulfillment and happiness for MIKE and his family.

Mr. MINSHALL. Mr. Speaker, with all of his colleagues who know his many virtues and with his devoted constituents of the 20th District of Ohio, I wish to join in paying a well-deserved tribute to my longtime friend MIKE FEIGHAN who is retiring from the Congress after 28 years of service. MIKE comes from one of Ohio's most distinguished families, highly respected for their outstanding contributions to the city of Cleveland, and it has been my privilege to enjoy a close relationship with the FEIGHAN family for many years. Our association goes back to the days when our fathers were cronies and MIKE and I served together in the Ohio State Legislature more than 30 years ago.

Although we sat on opposite sides of the aisle in the House Chambers, I am grateful to MIKE for the benefit of his wisdom and for his kindness and assist-

ance when I came to Washington as a freshman in 1955. He has been a loyal friend and a fine neighbor to the 23rd District which I represent.

Ohio is proud of MIKE FEIGHAN, and rightly so. In the tradition of the Feighan family, MIKE has proved himself to be a truly dedicated public servant, a man of high principles and an effective legislator. He has served conscientiously and vigorously and the results of his tireless efforts as chairman of the House Judiciary Immigration and Nationality Subcommittee are of great and everlasting value to the Nation. MIKE's numerous awards and his tremendous record of accomplishments speak for themselves and his honesty, integrity, and leadership will long be remembered.

The white-haired gentleman with the warm smile will be sorely missed by those of us who have had the honor to serve with him in the House of Representatives. I am pleased to have this opportunity to express my admiration for MIKE FEIGHAN and Mrs. Minshall joins me in wishing him and his charming wife Florence many years of continued success, good health, and much happiness.

Mr. MATSUNAGA. Mr. Speaker, I rise to join my colleagues in paying tribute to an outstanding American, the Honorable MICHAEL A. FEIGHAN, who is completing 28 years of service in the Congress of the United States.

Because of their international viewpoint on many issues, the people of Hawaii have a special interest in matters pertaining to our Nation's immigration and naturalization policies. As their Congressman, I am pleased to join my colleagues in paying tribute to MIKE FEIGHAN, for as chairman of the House Judiciary Committee's Subcommittee on Immigration and Nationality he has labored assiduously for substantial improvements in the law pertaining to immigration and naturalization.

MIKE FEIGHAN has been the prime mover of countless bills in this area. His efforts in behalf of those whom he himself called "my second constituency," will be remembered long after his retirement. His efforts, which have been both diligent and effective, have borne abundant fruit. In no small measure MIKE has been responsible for the United States having immigration and naturalization laws which are among the most enlightened in the world.

Immigration and nationality laws were not the only interest of this dedicated public servant. He lent the benefit of his many years of experience to the House by participating in deliberations in committees and debates on the floor.

I certainly wish to be numbered among the host of friends who will miss MIKE FEIGHAN in the next Congress. To MIKE FEIGHAN goes my fondest aloha and best wishes for an even more rewarding future.

GENERAL LEAVE

Mr. VANIK. Mr. Speaker, I ask unanimous consent that all Members may have 5 legislative days in which to extend their remarks on the subject of my special order today.

The SPEAKER. Is there objection to the request of the gentleman from Ohio? There was no objection.

TRIBUTE TO THE HONORABLE GLENN CUNNINGHAM

The SPEAKER. Under a previous order of the House, the gentleman from Michigan (Mr. BROOMFIELD) is recognized for 60 minutes.

Mr. BROOMFIELD. Mr. Speaker, in these closing days of the 91st Congress we are coming to the end of our working relationships with some old and dear friends. I take this time to pay tribute and say farewell to one of the workhorses of the House—GLENN CUNNINGHAM.

GLENN and I entered the Congress together some 14 years ago, in the 85th Congress. GLENN served as president of the 85th Club for several years and has given our group leadership in its activities together for these past several years.

GLENN's departure from Congress for a post in the Interior Department, as special assistant to the Director, Bureau of Outdoor Recreation, continues a lifetime of service to his community and Nation. We are saddened to see him leave, for while he has not sought the headlines nor the publicity, he has been one of those on whom Congress must rely for its progress. Anyone who knows GLENN knows this is true. He is one of those who makes Congress work.

Beyond his work here, we who have served with him will miss him as a friend. He is not a "hail fellow well met," but is one whose friendship means something. I personally will miss his counsel on matters from his committees, for he has always been one of the best informed Members on the business of those committees.

Mr. Speaker, I would like to read something of GLENN's background, for it tells a story of a whole life devoted to public service.

GLENN CUNNINGHAM was born in Omaha on September 10, 1912, the son of George and Emma Cunningham. The family is descended from the politically prominent John Bridge family who came to America in 1632 and whose line includes a cofounder of Harvard College and President Garfield.

GLENN's mother is a lifelong Nebraskan, having been born in Papillion, Nebr. His father came to Omaha at the age of 16 from Ohio. GLENN is a graduate of Omaha South High School and the University of Omaha, class of 1935. He graduated from Ashland Park Grade School. After graduating from South High School he attended Peru State College, Peru, Nebr., for one semester and then enrolled at the Municipal University of Omaha where he received his BA degree. Later on he attended four summer short courses at Northwestern University. Two of these courses were in public administration management and two in accident prevention management. From 1936 to 1940, GLENN was the fulltime manager of the Omaha Junior Chamber of Commerce.

In July 1941, GLENN married Janis Thelen, of Omaha. She is a graduate of Omaha Cathedral High School and a longtime resident of Omaha. They have

six children, Glenn Jr., Judy, Mary, James, David, and Ann Melissa.

In 1940, GLENN was named manager of the convention bureau of the Omaha Chamber of Commerce. He was then elected manager of the Omaha Safety Council and served in that capacity until 1947. It was during the period that he was manager of the safety council that he first came in contact with the U.S. Congress because he was very active and visited Washington several times, accompanied by officials of the National Safety Council, to press for legislation to secure a charter for the Omaha Safety Council, in which he was successful. Following that he was named to the position of manager of the Omaha office of the National Safety Council. Later he was named to fill a vacancy on the Omaha City Council—a fulltime position.

GLENN was first elected to public office in 1946 as a member of the Omaha Board of Education. He was the youngest candidate for that office but received the highest number of votes. In 1947, he was appointed to the Omaha City Council and was the full-time superintendent of the department of fire protection and water supply. In 1948, he was elected mayor of Omaha and served two terms. He voluntarily did not seek reelection following that.

GLENN was then named Nebraska director of the Saving Bond Division of the U.S. Treasury Department. As director he traveled extensively throughout the State and through his efforts the State of Nebraska had the highest sales of savings bonds on a per capita basis of any State in the Union. In 1956, he was elected to the U.S. House of Representatives and has been reelected to every Congress since.

GLENN has worked long and hard in the Second District, and for his work he has been frequently honored. GLENN was chosen Omaha's Outstanding Young Man by a distinguished panel of civic and business leaders and he was also chosen Nebraska's Outstanding Young Man. He is a member of the Legion of Honor, Order of DeMolay. He was cited in 1957 for alumnus achievement for "His outstanding personal accomplishments and service to the University of Omaha," by the University of Omaha Alumni Association. He was chosen "Man of the Year" by the Sun Newspapers.

GLENN was twice elected as a delegate to the Republican National Convention from Nebraska.

GLENN was the first Nebraskan, and one of our four Republican Members of the House of Representatives chosen by the Speaker, to attend the United States-Canadian Interparliamentary Conference in Ottawa. This was a conference with the leaders of the Canadian Parliament to discuss problems of Canada and the United States.

GLENN was also one of two House Republicans selected by the Speaker to serve on the National Commission on Food Marketing. This Commission investigated the "spread" between what the producer receives for his product and what the consumer pays at the grocery store. The report of the Commission has been widely acclaimed.

GLENN also was chosen by the Speaker of the House to serve as a member of the Jefferson National Expansion Memorial Commission.

GLENN has received these appointments of responsibility as a result of his dedication and work with civic organizations within the Second District and his exceptional work in Congress. His interest in youth, conservation, decent literature, consumer protection, aeronautics, communications, transportation, and a number of widely varying subjects is shown by his contribution to both national and local organizations, including the following:

President of the Omaha Junior Chamber of Commerce;

Member of the advisory board, Freedom Studies Center of the Institute for American Strategy;

Vice President, National Rivers and Harbors Congress;

General chairman, Citizens for Decent Literature in Omaha;

Member of National Committee of Citizens for Decent Literature;

National Sponsoring Committee of Laymen, Universal Bible Week;

Member of National Committee on Captive Nations Week Observance;

Member of advisory council of the National Committee on Playgrounds for Young America; and

Honorary member of Nebraskans for Young Adult Suffrage.

Mr. DENNEY. Mr. Speaker, I have known GLENN CUNNINGHAM for many years, and it gives me great pleasure at this time to join with others in wishing him the very best as he embarks on a new career in 1971. His articulate voice and dedication to the unglamorous but necessary work of a Congressman will be missed by all who knew him, but he leaves behind a legacy of constructive achievement which spans 14 years in the U.S. House of Representatives.

It is appropriate, therefore, that we pause for a moment to reread an article which appeared in the North Omaha Sun. I think it sums up well the contributions of the gentleman from Nebraska, Congressman CUNNINGHAM. Mr. Speaker, I include this article in the RECORD, as follows:

GLENN CUNNINGHAM, "PEOPLE'S CHOICE,"
FACES THE FUTURE

Carl Heine's Short Stop Cafe was jammed with members of the Cunningham-for-Congress executive committee, gathered for an evening of political shop talk.

Although their candidate was listed on the ballot as a Republican, the meeting seemed to consist largely of comments from the floor, each beginning:

"Well, I'm a Democrat, but . . ."

Finally the chairman of the evening remarked dryly:

"If there are any Republicans here, will they please raise their hands?"

Of the 55 people present, just 12 raised their hands.

The incident—its setting, the people and philosophies involved—tells much about the man who has been selected as The SUN Newspapers' Man of the Year for 1962: Glenn Cunningham.

The setting was South Omaha, barely a mile from where Glenn Cunningham was born. The people included grocer, small businessman, doctor, labor leader and a variety of others, all of whom had reason to feel that Glenn Cunningham had been good for them

or their interests. Their philosophies ranged from the conservative Republicanism of Dr. Peyton Pratt (representative of the medical profession's political action group) to the doctrinaire Democratism of Mr. and Mrs. John Blankenship, perennial Democratic convention delegates from South Omaha. The group included persons of influence in City Hall (e.g., Councilman Al Veys) and the Statehouse (e.g., Senator Eugene Mahoney), the lobbyist of the postal workers' union (George Bangs) and others of various persuasions which demonstrate the wide range of appeal wrapped up in the skinny, slow-speaking man who has become the No. 1 vote-getter on the current Omaha political scene.

HOPES, ASPIRATIONS

Although Glenn Cunningham would shun the label of "visionary" or "dreamer," the endorsement he won at the polls in November is clear evidence that he fits the SUN's Man of the Year criterion: "The man who best typifies the hopes and aspirations of this growing city."

These hopes and aspirations, as typified by Cunningham, are far from daring; they are essentially conservative, aimed toward steady progress but not toward the grand, deficit-financed gamble.

An unknowing visitor, spying Glenn Cunningham for the first time, would not likely tab him as a successful politician. Standing half an inch less than six feet and weighing only 145 pounds, he has the physical appearance of a Trappist monk on a hunger strike. His horn-rimmed glasses give him the look of a cloistered desk worker.

But if this unknowing observer follows Cunningham into the crowd on Farnam street or South 24th, he will soon see the man stopped by some equally anonymous elector. Cunningham will know the man's name; he'll give him a soft handshake, listen somberly to his problem, then stroll on with a courteous nod. After this ritual has been repeated half a dozen times in the space of a block, the observer will realize that this man seems to know a lot of people.

Following him into Northrup-Jones or Fred's Rexall, the observer will see Cunningham circled by half a dozen coffee drinkers. Listening with one ear, Cunningham will light a cigarette, then whip out a pencil and scribble a note on a match book cover. It will be slipped into a coat pocket, later passed along to an assistant. Within a day, the constituent who jabbed his finger into Cunningham's label will hear from someone in Washington, Lincoln, or Omaha's City Hall who is surprisingly familiar with the problem and solicitously eager to iron it out.

By this time, the observer may have realized the first and great commandment in Glenn Cunningham's political creed:

"If you sit down and do your homework, you won't have any trouble at the polls."

"Homework" is congressional jargon for the handling of constituents' problems. Thousands of people every year write, wire, phone or see their Representative with some kind of problem. Every one of them who goes away satisfied can be translated into from two to one hundred votes, depending on how many relatives, in-laws, children and job contacts he has.

This, Glenn Cunningham feels, is one of the big reasons for his shockingly successful shattering of Dr. Thomas N. Bonner's political dreams last November 6. With contacts acquired in more than 25 years of dealing with people in various forms of "public service," Cunningham has developed what he describes as "the most terrific political organization that has ever been built in Omaha—including the Dennison machine."

For last November's election, it numbered some 3,000 active workers in four counties of the Second Congressional District. Though largely centered in South Omaha, it also included mayors, bankers, merchants, farmers, implement sellers and other people in dozens of small towns and unincorporated

rural communities. It was further backed up by the "regular" Republican organization.

HOW HE OPERATES

Glenn Cunningham's control over his personal cadre is exercised in many ways, few of them overt. One of his functionaries, Senator Mahoney, describes the typical operation:

"We start real early, and have meetings in various towns—Waterloo, Weeping Water, Bellevue. We always find some leading citizen, maybe the mayor, or a church leader, or a businessman, who Glenn knows on a first-name basis. They tell us who to invite. They know when and where to have the meeting. We simply tell the group why we're there and what Glenn stands for, and ask them how we should proceed in their area. We might suggest that we need some help in making Cunningham signs or passing out bumper stickers.

"We've got all the equipment, and if someone volunteers his garage, we can set up stencils, paint and cardboard, and have an assembly line going in no time.

"Some people will take assignments to be responsible for a certain area, say a portion of their county. That person will then go to people he knows and get them to pass out literature or hold coffees. As much as we can, we leave it to them, listen to them, and offer what help they ask for.

"When there is a big public doings, one of us might go down to help, but the person who does the greeting and talking to voters is usually a local person. If he finds somebody with a problem, he'll pass it to us or to Glenn, and the problem gets taken care of."

When the Congressman gets back to the district (last year, it was barely three weeks before election day), he is likely to stop at a dozen or more such rallying points to visit with his workers. Often, he'll strip off his coat to help the sign painters. "They get a big kick out of this," Mahoney smiles.

The organization not only gets Cunningham's name to thousands of persons on a friend-to-friend basis. It also gives Cunningham up-to-the-minute readings on what people are thinking and saying about him and his opponent. Other clues come from selective reading of the SUN, the World-Herald, the Unionist and other newspapers; Cunningham staffers cull the papers, mark items for his attention.

This intelligence system helps Cunningham to frame speeches and statements, to prepare for audience questions, to decide whether to ignore an opponent's thrust or meet it head-on.

By letter and long-distance telephone, Cunningham is in daily consultation with such advisers as Carl Heine, former police chief and now his paid Omaha representative; Harold Poff, advertising executive and one-time Cunningham aide in City Hall, and Wayne Bradley, former WOW newsman now the Congressman's administrative assistant in Washington. As the campaign develops, they brief him, and he makes the final decision on tactics.

Like any good politician Cunningham never stopped running scared. By his own reckoning, he had never spent more than \$8,500 on a campaign before, but this time he spent "at least twice that." A little less than six thousand dollars came from state and national party coffers; some seven hundred dollars came from members of building trades unions. The most money came from individual donations, largely as the result of a letter to constituents. As of this week, the income was still about \$2,500 short of the outgo.

Other than the building union contribution, Cunningham says he has never accepted labor money. COPE sources here confirm that in past elections, he actually turned it down.

Cunningham decided early on his basic response to Prof. Thomas Bonner, who for a while loomed as the toughest opponent he has faced. How, Cunningham asked his supporters, can a man who was born and raised

in New York and spent most of his life in the classroom handle this district's problems—in comparison with a man born and raised in South Omaha, experienced as a School Board member, two-term Mayor and state-traveling Savings Bond sales director? Cunningham could cite chapter and verse of his manifold works for individuals and groups; Bonner could only argue his philosophy and academic training.

Bonner also, in Cunningham's opinion, made a fatal mistake: He espoused John F. Kennedy's program too wholeheartedly. Cunningham told *The SUN*:

"I have nothing against Kennedy, but we are representatives; we are supposed to represent our district. You don't rubber-stamp anybody. I think I only supported Eisenhower 46 per cent of the time on his administration votes. The people don't want you to go right down the line."

By the last week of the campaign, Bonner's supporters were almost totally frustrated. A couple of last-minute episodes in which Bonner supporters were charged with destroying Cunningham signs were just frosting on the cake. The final score: Cunningham 83,139; Bonner 36,577. It was the biggest percentage of victory in four congressional campaigns for Cunningham.

PERSONAL VICTORY

In the Democratic Douglas County, the Republican Congressman got 72,161 votes compared to 57,992 for the popular Democratic Governor Frank Morrison. There could be no doubt of the personal nature of Glenn Cunningham's following.

The story of how he acquired this following goes back to 1905, when a freight train ground to a halt in the yards near 24th and Bancroft, and railroad detectives shooed off the dozens of men who were "riding the rods." Among them was George W. Cunningham, a plumber's helper from Kenton, O., headed for California to seek his fortune.

Deciding to look around, George Cunningham took a streetcar for what he thought was downtown Omaha. It turned out that the car went south, and the young Ohlan got off on South 24th street. He saw a sign reading, "Plumber's Helper Wanted," took the job. Soon after, he met a young girl, Emma Seefus, working in a cafe. They married, settled in a house at 49th and S and had four children. The third was Glenn, born September 10, 1912.

The stringent early years helped shape young Glenn's philosophy.

"My father built into us a philosophy that you have to work for what you get," he recalls. "That is why I vote against a lot of things I don't think we can afford here in the national government. My father would never allow my mother or any member of the family to buy anything on time. We had to pay cash on the barrel head. If we hadn't saved the money, we couldn't have it."

George Cunningham was on the board of Ashland Park School, which was separate from both the village of South Omaha and the City of Omaha. The neighborhood had unpaved streets, and it was a regular spring-time occurrence for George or young Glenn to go from house to house collecting assessments to buy cinders for the boggy "side-walks."

In grade school, the gangling, redheaded young Glenn was known primarily as a sober, serious student. "Studying was always easy for him," recalls a former teacher. "I know he'd go places for that reason."

FAST START

But at 14, young Glenn was one of three Ashland Park youngsters who enrolled in a class of 240 freshmen at South High. "I don't know a single solitary soul," Congressman Cunningham reminisces. "To get to school, I walked from 49th and S to 24th and J."

By the time of his graduation (1930), he was senior class president, had the lead in the senior play, had just missed his letter in track, had been prosecuting attorney and

later president of the Student Council, and president of the National Honor Society.

As a senior, he took part in his first city election. He stood in front of a polling place at 60th and Poppleton, passed out literature favoring the proposal to convert the University of Omaha from a sectarian to a municipal institution. The proposal passed, and the young poll worker set his sights on becoming a member of the first freshman class. He worked in a packinghouse mailroom for six months, then enrolled at Peru State Teachers College to get the algebra he had been unable to get at South. After one crowded semester at Peru, he presented himself at 24th and Pratt streets for the opening of the Municipal University of Omaha in September, 1931.

Majoring in political science and economics, he became involved in campus controversy almost at once. Dr. W. E. Sealock, the university's first president, came under public attack for importing teachers who were too "liberal" or "radical" for local tastes. The campus boiled with student demonstrations resisting such pressures on academic freedom. Among those active in bonfire rallies was Glenn Cunningham. "I defended Dr. Sealock," Cunningham remembers. "If I had it to do over again, I probably would not be on his side."

(Sealock later committed suicide, though not, according to faculty members who remember the affair, over the "liberalism" issue. They say it involved other, personal problems.)

During his junior and senior years, Cunningham got a grant of \$30 a month from the National Youth Administration while working as assistant to the head of the economics department. Cunningham remembers:

"He had a lot of pictures around the room of Russian Communists. I remember one night when I was working and he was there, he said to me: 'These are the most brilliant men in the world. Look at the intelligence in their faces.'"

The teacher is long since gone. Glenn Cunningham got his diploma in 1935 without any noticeable deviation from the principles that his father had taught him.

He worked briefly for an insurance company (where he met his wife-to-be, Janis Thelen) and then became executive secretary of the Junior Chamber of Commerce at \$125 a month. When he left in 1940, he had been promoted to manager of the senior chamber's convention bureau.

What lured him away was the chance to manage the reorganized Omaha Safety Council. The work put him in contact with literally thousands of persons. He showed movies, lectured, visited schools. He also got a close look at the workings of city government. While he held the job, Omaha achieved a national record of 191 days without a traffic death, had the lowest number of such deaths in any modern year (12, in 1946) and won national recognition for its home safety program. Still active in Junior Chamber of Commerce work, Cunningham helped write a report critical of the first deficit budget proposed by the brand-new Superintendent of Schools, Dr. Harry Burke. He drew criticism from Burke, but also got publicity that helped Cunningham to lead the field of 13 candidates when he ran for the School Board in 1946.

When Fire Commissioner Joe Dolan died in 1947, Cunningham had the contacts, the geographic background and the experience to win the City Council's approval as a short-term replacement. One of his first official acts was a typical and popular one: he moved out a political fringe-hanger, made a job for Joe Dolan's widow.

(By this time, Glenn Cunningham's birth-certificate name was gone forever. Newspapers, confused by the similarity to the name of the immortal Kansas mile runner, had more or less permanently added an extra

"n" to "Glenn." The South Omaha boy gave up and started signing it that way.)

TOP VOTE GETTER

In 1948, the City Council race produced two slates. It was a bloody battle in which the nominal leaders of both tickets were knocked out. The man who led in total votes (and helped four "Good Government" mates into office with him) was Glenn Cunningham.

Under the city charter of that day, seven commissioners were elected. They then decided among themselves who was to be mayor, fire commissioner, street commissioner, etc. Once in those offices, each had authority independent of the others. Concerted action on budgets, inter-departmental programs and city-wide planning came only by negotiation among the commissioners. So when, at 35, Glenn Cunningham was chosen mayor, he got little more than a title, the smallest payroll of all the commissioners, and the task of horse-trading the other into some semblance of a civic program.

He soon proved he could deal with the best of the veterans, or turn to the public for support that would force the polis to join "must" programs. Maneuvering in council meetings was an integral part of the job, and in one of his first efforts, he bested longtime Commissioner Harry Knudsen in an argument over police and fire salary scales. Knudsen fell back with a biting compliment to Cunningham's "masterful political oratory."

Cunningham was no crusader, but a careful planner who acted only after acquiring the information and backing he needed. He recalls that in 1947-48, he was continually being visited by low-paid veterans and their wives (sometimes with arms full of teary children) who couldn't afford what little housing they could find. Cunningham came out with a proposal for 1,400 federally-financed public housing units. He promptly incurred the wrath of the late T. H. Maenner, who was then president of the National Real Estate Board as well as a major Republican fund-raiser. Cunningham plowed ahead, lined up enough council votes to apply for a compromise 700-unit project, then got public support at the polls. The result was Spencer and Hilltop Homes along North 30th. (Today, Cunningham generally votes against federal housing programs on economy grounds; he explains that conditions were much different in the precarious post-war period.)

Mayor Cunningham also bested a combination of various interests, including the full editorial weight of the *World-Herald*, to beat back a proposal for a city manager form of government. He disliked the commission form as much as anybody ("lousy" is the way he describes it now) but objected to installing a manager who would not be directly responsible to the voters.

Meantime, Cunningham began to take a one-handed interest in Republican party politics. He served as a national convention delegate in 1952 (committed to Taft, he objected vigorously when some Nebraska alternate delegates seized the state's banner for an Eisenhower demonstration) and won the friendship of the late Senator Hugh Butler.

GETS REWARD

In 1954, Cunningham got his reward. He quit the \$5,000-a-year Mayor's post, was named through Butler's good offices to the \$9,600 job of U.S. Savings Bond sales director for Nebraska. He spent two years traveling the state, meeting bankers, lawyers, ranchers, city officials—and in the process winning an award for leading the nation in per cent of quota sold.

Two years later, Judge Jackson B. Chase came back from one term in Congress, announced he wouldn't run again. After a series of party councils, Senator Roman Hruska, a former Congressman, went to Cunningham to suggest he try for the job. Cunningham

was less than enthusiastic: he had the best-paying job of his life, more time than ever to spend with his growing family, little reason to risk his popularity in the farmlands and small towns that comprise most of the land but few of the votes in the Second District.

He finally ran, won by a none-too-encouraging margin (five thousand votes out of 142,000 cast) over Joseph V. Benesch. But he learned to do his homework, and since then, re-election has been almost routine. He has worked his way up through the drudgery of freshman committee assignments, has built contacts with congressional leaders and government agency insiders who can help with constituent problems. Every two years, his organization has grown a little stronger and a little sharper, and his independence from party discipline a little greater.

Nowadays, Nebraska Republican leadership gives Cunningham little more than courtesy and his biennial share of campaign funds. He rarely huddles with his congressional colleagues on overall policy, is seldom invited to state Republican strategy meetings—nor does he ask to be invited. "I have been what you might call independent, and therefore not taken into their councils," he says, succinctly.

Reflecting this independence, his votes in the House of Representatives often confound even his own supporters. He voted "nay" to the administration's foreign trade bill, for instance, strictly on district lines. "It is going to cost Nebraska 5,000 to 7,000 jobs," he predicts, "because they are going to allow this cheap meat to come in from Australia, New Zealand and Brazil. Furthermore, we have several steel fabricating plants in Omaha. This trade bill will cause all kinds of cheap structural steel products to come in. It is going to cause the loss of jobs in this district."

Reflexively, he'll vote for any administration program that can bring dollars or jobs to the district (e.g., new construction at Offutt Air Force Base). Independently, he will work hard for flood control in the Little Papio basin.

A program that produces direct benefits for his labor union followers (e.g., retraining for unskilled packinghouse workers) gets quick Cunningham support, but he is maverick enough to vote against national welfare schemes supported by unions. This, say Nebraska labor officials, is what cost him the endorsement of COPE last fall; he had voted against some federal aid to education programs, medicare, enlargement of the House Rules Committee, urban redevelopment. Even COPE's disenchantment may not be permanent. Cunningham has had its backing in two of his four outings.

Perhaps Cunningham's most distinctive legislative act so far was winning passage of the Cunningham Amendment to postal laws. He fought the combined efforts of the White House, Attorney General, Post Office Department, State Department, Treasury and other administration agencies. As reported in grudging admiration by such a liberal magazine as *The Reporter*, it was a demonstration of the skill Cunningham has acquired in congressional politics.

Oversimplified, the amendment bars the mailing of Communist propaganda at tax-subsidized bulk postal rates. It reinstates, in effect, non-statutory programs that were in effect under the Truman and Eisenhower administrations, but were dropped by President Kennedy.

Cunningham outmaneuvered the administration in several skirmishes. He got his amendment tacked onto the important postal rates bill. The administration chose not to try to kill Cunningham's plan, but offered instead a vaguely-worded compromise. This, in *The Reporter's* account, "was an admission that propaganda in the mails did constitute some sort of a problem, and from then on the argument was on Cunningham's terms."

Cunningham's major thrust was a masterful 34-page statement given to the Senate Post Office and Civil Service Committee, where the administration had hoped to sidetrack the amendment. Instead, Cunningham won over the committee chairman, Sen. Olin Johnston (Dem., S. C.) and brought about what one senator described as "an immediate collapse" of the administration defense.

This legislative know-how, plus assiduous devotion to "homework," has probably won Glenn Cunningham a lifetime seat in the House of Representatives—if he wants it. The congressman who has gone this far usually has his choice of committee assignments. Barring some horrible boo-boo before the eyes of the voters, he has the organization to win re-election. But the question that is now in Glenn Cunningham's mind and the mind of every partisan politician in the state, is:

Does Glenn Cunningham want to stay in Congress?

Almost since the TV sets clicked off in the early-morning hours of November 7, there has been speculation that some day Glenn Cunningham will come back and run for state or city office: mayor, governor, U.S. senator. At the moment Glenn Cunningham is doing nothing to bring it into focus.

He does engage in such intriguing but non-committal debates as whether there is any real outstate opposition to the idea of a governor from Omaha. But he refuses to "make any decision in this regard until maybe next November."

POLITICAL FOOTNOTE

A political confidant adds this footnote: "The thing about that tradition of not electing a governor from Omaha—Glenn would get a kick out of that challenge." Others point out that Roman Hruska is up for re-election as a senator in 1964, but Cunningham would risk a terrible primary fight if he went for it. The mayor's job is a far more attractive (\$17,500 a year) than when Cunningham formerly held it.

Not, for the moment, are these speculations for Glenn Cunningham. He says he is struggling to live within his \$22,500 salary in the face of high Washington expenses, school and college bills, such items as the campaign deficit and the \$2,400-a-year cost of putting out a newsletter to constituents. To combat such items as the \$480-a-month rent he paid at first, he sold his Omaha home, bought one in Arlington, Va., but he feels little attachment for it. "I have less than \$1,000 in the bank right now," he told *The SUN* last week.

In Arlington, his main diversions are with his family. Janis is busy with the six children: Glenn, Jr., 20, just home from Air Force duty; Judy, 18, a student at Marymount College; Mary, 14; James, 12; David, 8, and Ann, 6, in school in Arlington.

Of a Sunday, the family may go a few blocks to look at the earthworks that protected the Capitol during the Civil War. Twenty miles away is the Manassas (Bull Run) battlefield, a favorite spot for Cunningham family picnics or for showing visiting Nebraskans.

Although he enjoys the work of the Congress, Glenn Cunningham makes no secret of the fact that he misses Omaha and Nebraska. "I have no recreation, no hobbies," he said. "About the only thing I have ever wanted to do is work in my yard, and I can't get interested in that here because the soil is sandy red soil. I am used to working in black soil."

"Sometimes, on weekends, I sit on my front steps and think maybe somebody will go by that I can say hello to, but nobody does. So I am lonesome here."

Governor? Mayor? Senator? Congressman again?

The answer is locked in Glenn Cunningham's deliberate, politically analytical brain. Whatever the answer, he can count on one

thing: an experienced and enthusiastic crew of helpers around Omaha and the Second District.

Mr. MARTIN. Mr. Speaker, I too would like to join the gentleman from Michigan in paying tribute to my colleague from Nebraska (Mr. CUNNINGHAM). GLENN and I have served together since I was first elected in 1960. He preceded me in this body by 4 years and has been a good friend as we have worked together on many problems of interest to our State these last 10 years.

GLENN's interest in helping people has not been confined to those of the Second District. He was one of the early sponsors of the Nebraska midstate project. While this project is entirely within the Third district, which I represent, GLENN nevertheless gave it his strong support. His membership, at that time, on the House Committee on Interior and Insular Affairs was a boost to this project for the benefit of an important area of Nebraska. I am grateful to him for his support of this program.

I am going to miss GLENN in the Congress but I am delighted to know that we have a friend in an important position in the Interior Department. His long-time interest in the outdoors and the Nation's resources, plus his service on the House Interior Committee, make him ideally suited for the job he is undertaking with the Bureau of Outdoor Recreation. I am sure that his role will be an active one in the efforts of the Nixon administration to provide recreational facilities for the people of the country and to preserve the natural beauties of this great country.

I would be remiss, as the only Member of the Nebraska House delegation who will return in the 92d Congress, if I did not say a special thanks to GLENN for his work on behalf of the Republican ticket in Nebraska this year. His active support of our senatorial and gubernatorial candidates was just another example of his teamwork. His support of Congressman-elect JOHN MCCOLLISTER in the Second District was in the best tradition of loyalty and party unity.

I am pleased to have been associated with GLENN in the Congress these 10 years and Tancy joins me in wishing GLENN and Janis every success and happiness in the future.

Mr. Speaker, I include a fine editorial from television station KETV in the RECORD at this point. This editorial was written and delivered in June of this year and speaks for all of us in Nebraska. The editorial follows:

A big part of Nebraska's history is going to pass by soon . . . and it shouldn't leave us without giving more than a footnote of thought to it. Congressman Glenn Cunningham is leaving his post of serving Nebraska in Washington at the end of this year. Congressman Cunningham has served as Second District Representative longer than any other person in history in that post. His years of service have not been spotlighted with oratory aimed at getting headlines. He has been described as a work horse . . . and not a show horse.

During this past campaign he was called back to Washington to work on the Postal Reform Bill. He was badly needed during that crucial time of postal strikes because of his long seniority on the Post Office and Civil Service Committee . . . and his efforts may have a great effect on the future of the Post

Office and its service to the people. His work against smut peddlers will lead to a decent future for America's children . . . and adults. Through the years, many opponents have called Cunningham a do-nothing Congressman . . . but his record would prove them wrong. He has introduced many bills to stop flooding in Nebraska, for conservation . . . on drugs . . . crime . . . social security . . . higher education . . . on draft dodgers and persons who desecrate the American Flag . . . to help Indians . . . education . . . protect consumers . . . and on and on.

Although in the last election, there was campaign oratory criticizing the fact that Cunningham has been in office too long, hopefully Nebraskans will be able to find another such person who would devote fourteen years to the people . . . instead of using the job for a stepping stone to higher aspirations . . . or a showcase for self interests.

Mr. SCHWENGEL. Mr. Speaker, I would like to join the gentleman from Michigan in his tribute to GLENN CUNNINGHAM. I, too, have served with GLENN since the 85th Congress, when we entered this Chamber as freshmen. Our friendship has grown with each passing year, and I regret GLENN's leaving very much. This body will be the poorer for his departure.

I am particularly mindful of his work in two fields as part of his duties in the Post Office and Civil Service Committee on which he has served for all of his 14 years in the House. GLENN made an impact on the Nation in these two fields—Communist propaganda and obscene mail.

We all will recall the tenacity GLENN showed when he succeeded over strong opposition in some quarters in getting the Cunningham amendment adopted so as to stop the free delivery of unsolicited Communist political propaganda. The passage of this amendment by both House and Senate is a tribute to a man who did his homework, knew the issue inside and out, knew the ways of the Congress and succeeded where another might have failed. It was a singular display of legislative skill, and it was sensible and logical legislation for our country in its worldwide relations.

GLENN's other strong suit in the committee has been his battle against obscene literature, especially its availability through the mail to minors. He was the first in the Congress to recognize that there should be some tool available to the parent to keep offensive material out of his own mailbox.

Legislation drafted by GLENN, introduced by GLENN, and guided through the Committee on Post Office and Civil Service by GLENN was finally enacted into law. And I know that you, Mr. Speaker, also played a key role in the enactment of this legislation for GLENN has told me of the great boost your active support gave his legislation. This legislation is now on the books. It was severely attacked by the smut dealers but was upheld by the U.S. Supreme Court.

These two issues graphically illustrate what can be done by one man whose word is respected by his colleagues, who knows his committee and his subject, and who sees a clear need for legislation to correct a bad situation. These two pieces of legislation mark high points in the congressional career of GLENN CUN-

NINGHAM, and I am proud to have served with him as he built this record.

Certainly, I do not want to leave any impression that GLENN was not active and effective in other legislation by singling out these two areas. Rather, they help me to tell just how effective our friend from Nebraska was in these two key pieces of legislation.

His other assignment to the Committee on Interstate and Foreign Commerce also brought much attention to him, particularly in the field to which he was assigned, the Subcommittees on Communications and Power, Transportation and Aeronautics, and the Special Subcommittee on Investigations, commonly known as the oversight committee pertaining to all of the regulatory agencies.

Mr. NIX. Mr. Speaker, the House of Representatives will miss the service of the Honorable GLENN CUNNINGHAM, of Nebraska, during the next session of Congress. The Postal Operations Subcommittee of the House, of which I am chairman, will miss him even more.

From the late 1950's through 1970, GLENN CUNNINGHAM has led the fight against the "smut merchants." He began his crusade at a time when few voices were raised on the issue. He began the battle at a time when the giant publishing industry opposed any restrictions on obscenity. The battle is about to be won.

In the 90th Congress the Cunningham bill became law and was upheld by the U.S. Supreme Court in the Rowan case. During the 91st Congress a further Cunningham proposal became law. In the next Congress additional proposals which he originally sponsored will be introduced and enacted. At that time the legislative battle against pornography will have been won.

The keystone of this success will have been set in place by the congressional career of GLENN CUNNINGHAM.

The case for Congress and the legislative process can be made by reference to the careers of men like GLENN CUNNINGHAM. Their work marches on long after they have gone on to other endeavors.

Our laws on postal fraud, Government labor relations, obscenity, and other matters are stronger today because GLENN CUNNINGHAM served on the Post Office Committee in the House of Representatives for 14 years.

We will miss him.

Mr. QUIE. Mr. Speaker, I too would like to join my colleagues who entered the 85th Congress with GLENN CUNNINGHAM to pay tribute to him today. We will miss him as a person and we will miss his counsel.

I know GLENN is proud of his heritage. He is a descendent of the John Bridge family of colonial times. With your permission, Mr. Speaker, I will include material on this distinguished American family as prepared by the Library of Congress at the close of my remarks.

It has been said today that GLENN is a worker. I think we all recognize this. We all know him for his work and his devotion to his family. He is the stuff of which good Members of this body are made. We will be the poorer for lack of his counsel in future years, but we wish

him well in his new challenges at the Interior Department. His prior service on the Interior Committee of this body will give him excellent background for his continued service to government and the people of the Nation.

His genealogy, as outlined by the Library of Congress, follows:

THE JOHN BRIDGE FAMILY IN AMERICA: AN OUTSTANDING POLITICAL HERITAGE

Upon his request, the Library of Congress undertook to research the genealogy of Congressman Glenn Cunningham (2nd Dist. Nebr.). The results of that search have been unusually gratifying in that the Library was successful in locating an exceptionally complete and well-documented volume of genealogical research of the John Bridge Family of which Congressman Cunningham is a descendant.

This 574 page volume entitled "Genealogy of the John Bridge Family in America 1632-1924" was edited by the Reverend William Dawson Bridge, A.M., D.D., a respected member of the New England Historic Genealogical Society.

In his preface of his original research as contained in the above mentioned volume, Reverend Bridge makes the following rather astute observation:

"To anyone who takes even a glance at the personalities mentioned in this volume there must come, the writer believes, a conviction that John Bridge's descendants . . . have been of a very high and noble character. In his investigations he has discovered not one who has been guilty of maladministration in public office, of desecration of the sacred desk, of noted immorality in public life; but, on the other hand, the high qualities of virtue, of justice, of generosity, of consecration to public service, are observable all along the line from John Bridge, who set a glorious public example, down to the humblest member of the family today whose name is just now being inserted in its own natal position."

The following summary of outstanding predecessors of Congressman Cunningham—members of the John Bridge family in America—enforce the statement of the Reverend Bridge.

The genealogy of the John Bridge family in America is most remarkable in many respects, including as it does so many persons engaged in historical events of national and international significance. Beginning with John Bridge, co-founder of Harvard College, the American family strain also includes Matthew Bridge, a prominent colonial official in Seventeenth Century Massachusetts; Ebenezer Bridge, a Minute Man at Concord, in 1775; John Bridge, another Revolutionary patriot; Matthew Bridge, a distinguished Massachusetts State Senator during the Presidency of James Madison; Charles Devens, a Civil War hero, and U.S. Attorney General under President Hayes; James A. Garfield, President of the United States; and Glenn Cunningham, Congressman from Nebraska.

John Bridge, patriarch of the American branch of the Bridge Family, was an extraordinary figure in the days of Puritan New England. A statue on the common, in Cambridge, Massachusetts, stands today in honor of his name.

An Englishman by birth, John Bridge identified early in youth with the Puritan cause, and in time became an apostle of Thomas Hooker, Congregational clergyman and outspoken critic of the Church of England. Persecuted for his convictions, the Reverend Hooker formed a company of emigrants, at Chelmsford, in 1631, and soon set sail for America, in search of religious freedom. John Bridge was a member of "Mr. Hooker's Company," as it was called.

On American soil, John Bridge displayed special abilities, particularly in the field of intellectual endeavor. He settled in Cam-

bridge and was admitted to the community as a Freeman in 1634. When the first public school was established in Massachusetts Colony, in 1635, John Bridge was named supervisor. Three years later the school was reorganized in the form of Harvard College, over which John Bridge served as the first president.

In the matter of community relations, John Bridge held many positions of importance. In 1636 he was named Deacon of the Church, from 1635 to 1652 he occupied the office of Selectman, and from 1637 to 1641 represented Cambridge in the colonial legislature. He also was employed by the General Court to lay out lands and was named to several major town committees. It was observed that of the major elective offices available, he served in almost every one. He also purchased a considerable amount of property, becoming one of the largest landholders in Cambridge.

Proceeding down the line, we encounter next the name of Captain Matthew Bridge, born in 1694. Matthew Bridge was elected to public office on numerous occasions, serving five terms as Selectman in Lexington, Massachusetts, three as Assessor, and three as Town Treasurer.

Colonel Ebenezer Bridge, a resident of Fitchburg, Massachusetts, and commander of the Fitchburg Company of Minute Men, led the company to the scene of conflict in Concord, New Hampshire, April 19, 1775.

Captain John Bridge of Lexington was prominently involved in many events immediately preceding the outbreak of the American Revolution. Ardently in favor of resisting the will of King George III and his Tory supporters, the Captain rallied his neighbors to the Patriot cause and signed the *Declaration of Twenty-Six Leading Citizens, Colony of Massachusetts Bay, 1776*, "declaring 'before God and the world,' that they would be true to the cause of liberty and to each other in the coming conflict."

The Honorable Matthew Bridge, 1751-1814, of Charlestown, served several terms in the Massachusetts Legislature. When the War of 1812 began, he was a member of the State Senate.

The Honorable Charles Devens, 1820-1891, a Bridge descendant, was State Senator from 1848 to 1849, United States Marshal for the District of Massachusetts from 1849 to 1853, and Attorney General of the United States from 1877 to 1881. As United States Marshal, Charles Devens earned a national reputation by compelling the return of a fugitive slave, under the terms of the Fugitive Slave Law of 1850. The law was unpopular in Massachusetts, and, for that matter, also was obnoxious to Marshal Devens. He nonetheless enforced it, in keeping with the requirements of his office, to the displeasure of millions, and was severely criticized for so doing. Public opinion changed, however. In 1861 Charles Devens was commissioned a colonel in the Union Army, later rising to the rank of general. Fort Devens was named in his honor.

In 1862 a coalition "Peoples" party was formed in Massachusetts, comprising Democrats, Old-Line Whigs, "Americans", and conservative Republicans. The People's Party convention nominated General Devens for Governor. Although defeated in the following election campaign, he retained popular respect and was named Attorney General of the United States by President Rutherford B. Hayes, under whom he served four years with distinction.

The best known descendant of John Bridge, the Puritan schoolteacher, was James A. Garfield, 1831-1881. Himself a schoolteacher, Garfield joined the Republican Party in Ohio the moment the party was organized. Impressive in appearance, speaking ability, and intellectual attainments, he rose quickly in the party structure, and in 1859 was elected

as a Senator to the Ohio State legislature. When the Civil War began, Garfield entered the Union Army as a colonel and was soon promoted to brigadier. In the election of 1862 he was elected to Congress and thereupon retired from the Army, following a brief but altogether praiseworthy military career. His statue today stands under the Great Dome of the U.S. Capitol.

In the House of Representatives James A. Garfield became known as a leading figure in matters of financial consideration and party management. Elected to the United States Senate in 1880, he attended the Republican National Convention of that year in the capacity of floor manager for the Presidential aspirant Senator John Sherman of Ohio. Delegates to the convention were unable to decide between three candidates: Sherman, Senator James G. Blaine of Maine, and former President Ulysses S. Grant. Throughout the convention Garfield argued and maneuvered so well in Sherman's behalf that considerable attention began to shift to Garfield himself. Finally, Garfield's name was brought forward, as a possible compromise candidate, and the convention endorsed the choice. Garfield was subsequently elected to the Presidency, inaugurated March 4, 1881, and assassinated the same year. He was the second president killed in office.

The most recent descendant of John Bridge to attract the national attention is the Honorable Glenn C. Cunningham, of the Nebraska Second District. A civil servant in the full meaning of the term, Representative Cunningham has devoted his entire adult life to civic and governmental work. Appointed in 1936 to the office of executive secretary of the Omaha Junior Chamber of Commerce, he soon acquired a reputation for knowledge of economic issues and other matters of overall concern to the general community. He served as superintendent of the Department of Fire Protection and Water Supply for the city of Omaha. In 1948, he was elected Mayor of Omaha and reelected in 1951, serving six years with distinction.

Nominated for Congress in 1956, he was elected, and promptly established himself as an outstanding Member of the House of Representatives. Re-elected seven times without a defeat, he stands today a major figure in two areas of Congressional activity: Commerce and governmental functions. As a member of the Committee on Post Office and Civil Service, he has brought to bear his knowledge of governmental needs; as a member of the Interstate and Foreign Commerce Committee, his knowledge of transportation, commerce and finance has been exemplary.

It is noteworthy that the Congressman has held office for a longer period of time than any of his predecessors in the Nebraska Second District.

Few family trees can be said to contain the names of so many figures of consequence in our national history.

SOURCES

Bridge, William D., *Genealogy of the John Bridge Family in America, 1632-1924*. Cambridge, 1924.

U.S. Congress, *Congressional Directory*, 89th Congress, March 1965.

Mr. ROBISON. Mr. Speaker, I appreciate the gentleman from Michigan yielding.

It is with sadness that we mark the close of the congressional career of our dear friend, GLENN CUNNINGHAM, and I would like to join in the expression of best wishes that others have given to him and Janis.

We are pleased to know that GLENN's longtime interest in the out of doors and the conservation of our national resources are being translated into a challenging assignment with the Bureau of

Outdoor Recreation. We wish GLENN well in his new assignment. The Bureau is fortunate in having someone whose legislative skill and deep personal interest in its mission will combine to help it in its work to preserve the great national forests, enlarge and expand our national park systems, and create the proper environment for the wildlife and fish to thrive for the benefit of our generation and even more importantly to preserve all these blessings of nature for our children and their children.

Mr. Speaker, I would like to include the press release from the Department of Interior announcing the appointment of our friend GLENN to his new position:

WASHINGTON, D.C.—Acting Interior Secretary Fred J. Russell Wednesday announced the appointment of Representative Glenn Cunningham (Rep., Neb.) to a key post in the Interior Department's Bureau of Outdoor Recreation.

He said that Cunningham, who will complete 14 years in the House when his present term expires January 3, will become Special Assistant to the Director of the Bureau, G. Douglas Hofe, Jr., on January 4.

Interior Secretary-designate Rogers C. B. Morton, who has served with Cunningham in the House the past eight years, said the Nebraskan is especially suited for the post.

"I succeeded Glenn on the House Interior and Insular Affairs Committee," Morton noted.

"He served four years on that committee, from 1959 through 1962, and I am familiar with his dedication and devotion to the development of our outdoor resources for the benefit of Americans now and in the future," Morton said.

Morton, who is slated to resign from his Maryland Eastern Shore House seat to take the top Interior job, added that "This appointment carries the recommendation and approval of President Nixon, and I know the President is pleased that Glenn has accepted it."

Cunningham is a former Mayor and City Councilman of Omaha, Neb., where he was born September 10, 1912. He is a descendant of the politically prominent John Bridge family, which dates back to 1632 in America and includes a co-founder of Harvard College and the twentieth President of the United States, James A. Garfield.

Cunningham served in the executive branch prior to his election to Congress. In 1954-56, he was Nebraska State Director of the Treasury Department's Savings Bond Division. During this period, Nebraska led the Nation in per capita Savings Bond sales.

He was elected to Congress in Nebraska's Second District in 1956 and has represented that district in Congress longer than any other person in history.

As Special Assistant to the Director, Cunningham will analyze and review legislation for the Bureau of Outdoor Recreation and will serve as a liaison between the Bureau and the cities, states and local governmental agencies.

He will advise the Director on matters involving Congress and its recreational programs.

The Bureau of Outdoor Recreation is the co-ordinating agency for outdoor recreation programs and planning at the Federal level.

It administers Land and Water Conservation funds for acquiring and developing recreation lands for the National Park Service, Bureau of Land Management, Bureau of Sport Fisheries and Wildlife, and the Forest Service.

It also makes matching grants to the states and through the states to cities for acquiring and developing recreation facilities.

THE PRESIDENTIAL VETO OF THE FAMILY DOCTOR BILL

(Mr. DULSKI asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DULSKI. Mr. Speaker, I am amazed at the action of the President in pocket vetoing the bill to help alleviate the appalling shortage of family physicians.

I am amazed in two important respects: First, the President has ignored the prospect which this bill would give for helping to increase the number of family doctors—a shortage which is widely recognized as a fundamental part of our Nation's overall weakness in health-care facilities; and, second, the pocket veto approach used by the President may be subject to legal challenge because it deprives the Congress of the right to further consider this vital matter. The pocket veto is a device available to the President when Congress has adjourned sine die—but it was never intended to be used, as in this case, during a brief adjournment for Christmas. The President chose to ignore the fact that the Senate specifically had arranged for receipt of messages from the President during the Christmas adjournment. The family medicine bill originated in the Senate and that is where the message should have been directed. Instead he issued only a memorandum.

HAD OVERWHELMING SUPPORT

Mr. Speaker, the President apparently wanted to avoid any possible reconsideration of the bill by the Congress. It is a matter of record that the Senate passed the bill by a vote of 64 to 1 and the House later passed the bill by a vote of 342 to 2. Thus, the President's unique use of the pocket veto came in the wake of overwhelming support for the bill by both the House and the Senate.

Hardly a family today has not experienced in recent years the increasing difficulty in obtaining the services of a family physician—otherwise known as a general practitioner.

There is no question about the need for specialists in medicine—but there is even a more crying need for the family physician whom you usually need to consult first as to which specialist's counsel is needed.

Forty years ago, three of every four physicians were general practitioners. Today, only one in five is a general practitioner.

VETO IS DEPRESSING SETBACK

The President's rejection of the family medicine bill is a depressing setback for a long and tedious effort to find an acceptable approach to filling the void in the number of family doctors.

This veto and his earlier veto of the hospital construction bill—later overridden—fly in the face of his own public profession of concern about the need for Federal action to augment the Nation's health-care facilities.

Actions speak louder than words. On health care, the Congress acted. The President vetoed. The record is clear.

It takes time to put programs in motion—such as the family doctor program—and we can ill afford the loss of momentum resulting from the Presidential veto of the Family Practice of Medicine Act.

A DEPLORABLE SITUATION

(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 December 15, I first brought to the attention of this House a deplorable situation concerning families on welfare sheltered in the Broadway Central Hotel in the Borough of Manhattan, city of New York. My visit to that hotel was occasioned by the fact that a child had been killed as a result of apparently falling down an unguarded stairwell. An investigation brought out the fact that more than 75 welfare families were quartered in the hotel and that the city of New York had authorized weekly rentals for families ranging from \$260 to \$400 a week. The hotel itself can only be described as a third-rate hotel with the rents being paid by the city for slum accommodations equal in cost, and in some cases exceeding the same number of rooms in first-rate hotels such as the Waldorf Astoria.

As a result of my bringing to the attention of the mayor of the city of New York the fact that these excessive rentals were being paid and that they were the result of an internal city regulation and not required by either State or Federal regulations as had been stated by the human resources administration, the city agency responsible for welfare families, changes and procedures were ordered by Jules Sugarman, administrator of HRA which were intended to prevent these wasteful expenditures. I am appending a column by Howard Blum of the Village Voice, which describes the reactions of the deputy mayor of the city of New York to my having made the physical examination of the Broadway Central and bringing to light the extraordinary mismanagement of the HRA.

Over the past weekend, I was alerted to the fact that the Sanford Hotel in the Borough of Queens of the city of New York had had a fire and that two welfare children and been killed. I visited that hotel and my observations are incorporated in a letter sent to Mayor John V. Lindsay, a copy of which I am appending to this statement. The letter delivered to the mayor contained an error which I have brought to his attention by a subsequent note. In my letter to him I quoted the rent for the family referred to as \$875.35 per week, with a total expenditure for that family over the past 6 months at that hotel in the amount of \$21,000. I was in error and after checking the facts I found that the rent was only \$789.35 for a total for the same 6-month period of approximately \$18,944.40.

It is not my intention to beat a dead horse. If I believed that the city of New York had in fact changed its procedures

so as to cure the maladministration in this area of welfare I would not continue to recite additional cases of gross ineptitude. But the fact is that the inept procedures continue and I am compelled to bring them to the attention of the mayor.

In today's New York Times the mayor is quoted as saying that the city's taxpayers "can no longer meet the rising cost of welfare" and he promised to study the city's legal powers "to refuse to pay for increased welfare costs or accept additional welfare cases." I concur with the mayor's objections and support, as he does, President Nixon's family assistance plan, and voted for it. But, the HRA's maladministration makes an already horrendous situation even more grotesque and burdensome to taxpayers and makes it even more difficult for us in Washington to gain support for additional Federal assistance.

In addition to the Village Voice article, I am setting forth for printing in the RECORD at this time my letter of December 28, 1970, addressed to Mayor John V. Lindsay and my correspondence on this matter addressed to HRA Administrator Jules Sugarman. As of this date, no written replies have been received to these letters, although I am pleased to report that the individual problems raised in my letters to Mr. Sugarman have been resolved.

The material follows:

WASHINGTON, D.C.,
December 28, 1970.

HON. JOHN V. LINDSAY,
Mayor, City Hall, New York City.

DEAR JOHN: I visited the Sanford Hotel in Flushing today and talked with a number of welfare families who were burned out of that hotel over the weekend, and given shelter at St. Michael's, a near-by church. Those families, according to Father Mulhall, were kept at the church for 36 hours, sleeping on canvas cots, with little assistance from the city. Father Mulhall said that if it had not been for the Red Cross and volunteers from the community, these families would have been in even more terrible straits. One family of 14 with whom I spoke had been sheltered by the Department of Social Services in that hotel for six months at a cost to the City, State and Federal Governments of \$875.35 per week. In that 6-month period, they were not shown a single apartment by the Department of Social Services; once they were offered other hotel accommodations. This single family has been sheltered for this 6-month period for a total of approximately \$21,000 in public funds. You should also know, John, that for that \$21,000 this family did not even have access to a stove.

You should also know that my office has received from the Department of Social Services a list of all acceptable welfare hotels dated September 10, 1970, in which the Sanford is listed as a hotel with "hazardous violations" to which welfare clients should not be referred. One family to which I spoke today in St. Michael's told me they were just placed in the Sanford the week before Christmas after being asked by the Department of Social Services to sign a paper which apparently stated that they realized the hotel had "violations," and would not hold the Department of Social Services responsible for this. How can this be?

I know that you are aware of the problem and that you and Jules Sugarman are trying to change matters, but the fact is that enormously wasteful expenditures continue to be made. One of the side effects is the

embittering of the welfare families, the hotel keepers and the taxpayers, all who have legitimate grievances and are victims of an ill-conceived policy.

Sincerely,

EDWARD I. KOCH.

WASHINGTON, D.C.,
December 14, 1970.

JULE SUGARMAN,
Administrator, Human Resources Administration, New York, N.Y.

DEAR JULE: You are no doubt aware of my weekend visit to the Broadway Central Hotel, 673 Broadway, and are surely too familiar with the fact that many families with children are housed in this hotel, paying exorbitant rentals for filthy, rat-infested cubby-holes.

This morning my office received a call from a guidance counselor in P.S. 148, Mrs. Lestch, who advised me of another incredible situation. She has been working, she told me, with three children in a family of ten, nine of whom are currently housed in the Broadway Central. They have apparently been there four months. (One child allegedly lives elsewhere.) Mrs. Lestch informs me that the nine members of this family are living in one room with six beds. The head of the family, Antonio Pitre, has apparently located a house at 262 Throupe Avenue, Williamsburg, at a monthly rental of approximately \$325. Mrs. Pitre's caseworker has allegedly said, however, that the allowable limit for a family of this size is \$275, and therefore, the Pitres cannot rent the house. At the same time, the guidance counselor informs me that the Pitres are paying approximately \$1200 a month at the Broadway Central for one room. I have further been advised that every day Mr. Pitre drives his children to two different schools, and in addition, one of his children who is currently attending P.S. 148 has spinal meningitis and should be placed in another school. Mrs. Lestch does not want to do this now for it would place an additional burden on Mr. Pitre. Finally, Mrs. Lestch informs me that living in the Broadway Central is in her opinion having a serious detrimental effect on the children, and after having been there, I feel confident that living there for even one day would have an adverse effect.

I am writing to you to bring this situation to your attention and to urge that the Pitres caseworkers, Mrs. Smith in the Amsterdam Center, be given permission to authorize the rental for the house in Williamsburg. Does it make sense for the City to pay \$1200 of public funds rather than the \$325 for the 11 room house which would provide a home for the Pitres? The authorization of additional rent would be a saving to the City and an act of grace for this family. I urge you to immediately grant the necessary authorization.

Sincerely,

EDWARD I. KOCH.

WASHINGTON, D.C.,
December 16, 1970.

JULE SUGARMAN,
Administrator, Human Resources Administration, New York, N.Y.

DEAR JULE: I am writing to you to call to your attention a pending eviction of a family on public assistance. The family is currently residing at 730 New Jersey Avenue, East New York, Brooklyn, and is comprised of Willie Burton, Mrs. Burton, and one son living with the Burtons. In addition, one of the Burton's daughters, Brenda, is attending school in New Jersey and is therefore living with a sister, Brenda Burton, who is 16 years old, comes home to her family on weekends, according to Mr. Burton.

As I understand it, the Burtons live in a five-room apartment paying a monthly rental of \$160. The caseworker, Mrs. Moruzzi at the Euclid Center, has advised them that they must find a four-room apartment at a rental of \$140, because their family size has been reduced. She further maintains, in a

conversation with a member of my staff, that Mr. Burton is provided daily with a list of agents with four-room apartments available, and that he is currently "evaluating" them.

A member of my staff inquired of Mrs. Moruzzi whether Mr. Burton had been advised of his right to request a Fair hearing to which Mrs. Moruzzi responded, "he's supposed to know." She further stated that Mr. Burton had been advised of his removal from the rent budget in a home visit.

Mr. Burton came into my office this morning and spoke with two of my staff members, one of whom is my District Administrator Peter Bernuth. They have told me that Mr. Burton did not seem to be literate and was apparently unaware of his rights. At that time he stated that he has been unsuccessfully looking for an apartment since early November. He also informed my staff that he had not been provided with additional money for carfare and as a result often had to walk from one place to another. Finally, he stated that his caseworker told him that if he didn't find an apartment he would have to move to a hotel.

As you know so well rents in these welfare hotels are exorbitant and conditions wretched. It will cost the City far more to house the Burtons in one of these hotels (not to mention moving and furniture storage costs which I understand the City must also pay) and will be far more damaging to the family than if they were able to stay at their present home. Considering the costs to the City and the potential harm to the family, would it not be more advisable to approve the rental for the Burton's present homes?

I would appreciate your prompt attention to this matter and your informing me in writing as to whether you feel that this rental should be approved, and if not, providing me with your reasons why.

Sincerely,

EDWARD I. KOCH.

WASHINGTON, D.C.,
December 18, 1970.

JULE SUGARMAN,
Administrator, Human Resources Administration, New York City.

DEAR JULE: I read in the New York Times article concerning the State audit of the City welfare department (12/17/70) that some \$500,000 in federal aid was lost to the City because it had not applied for federal monies for carfare for welfare clients traveling between their homes and welfare centers. I am particularly interested in this point because of the Burton family about whom I wrote you on December 16. Mr. Burton, as I mentioned in my earlier letter, informed my staff that although on public assistance, he had not been provided with additional money for carfare and often had to walk from one place to another while looking for an apartment for his family. This is after he had been told he could no longer remain in his home because the rent exceeded the administrative ceiling for his size family. His caseworker was contacted by a member of my staff and she said that Mr. Burton's carfare should come from his recurring grants. Mr. Burton told my staff, however, that he could not afford to extract an additional expense from this grant.

Without judging Mr. Burton's allegations as to whether he can afford the carfare, I would like to know the following: 1. Why did the City not apply for this federal grant; 2. Should the City get federal fund for carfare for welfare clients currently living in hotels and looking for homes; 3. How can I help?

Sincerely,

EDWARD I. KOCH.

WASHINGTON, D.C.,
December 21, 1970.

JULE SUGARMAN,
Administrator, Human Resources Administration, New York, N.Y.

DEAR JULE: My New York office has been in contact with you and your office concerning

a number of cases regarding the placing by the Department of Social Services of families on welfare in hotels. You know of my recent inspection of the Broadway Central. With the thought it would be of interest to you I am enclosing the statement which I made in the House of Representatives reporting my observations on the tragic plight of the welfare families "sheltered" in that hotel and similar accommodations.

The other day I spoke with Mrs. Ronnie Eldridge who informed me that your office has now said that there are in fact no federal or state regulations which encourage the use of "temporary housing" at exorbitant rents and prohibit obtaining permanent housing by limiting the rents which could be paid. The best illustration of your Department's operating procedure in this matter was that of the family from Staten Island whose rental at the Broadway Central was \$1600 a month and who was prohibited under your regulations from obtaining an apartment on Staten Island at a monthly rental of \$200 because the caseworker had told her that the maximum rent that could be paid for a family of four was \$165 a month. Her name is Mrs. Inez Brown, and as of this date I am still not sure if she remains with her family in the Broadway Central or if the apartment has finally been approved. According to Mrs. Eldridge the internal regulation in your department which permitted this extraordinary situation to exist has been changed and you now have set up a 24-hour service which will make it possible for apartments that become available to welfare clients to be presented to Mr. Robert Jorgen for immediate clearance where the rental cannot be approved by the caseworker because of your internal guidelines. I would like you to furnish me with a copy of these new guidelines, which rescind the prior applicable ones.

In my conversation with Mrs. Eldridge she informed me that there were 360 children at the Broadway Central; one third are preschool and the balance of 240 according to her records are distributed as follows: 67 enrolled at P.S. 41; 31 in I.S. 70. She was certain that of the balance of 142 a number would be enrolled in high schools and in other elementary schools located in those parts of the City in which these welfare families had originally resided prior to coming to the Broadway Central. You will note from the letter that I sent to Dr. Harvey Scribner that I consider the fact that large numbers of children are not enrolled in school to be of paramount importance and inexcusable. It is not sufficient for anyone in the City Administration to take the position that the City is doing all that it can do if a single school age child is permitted to remain away from school unless excused for illness.

Mrs. Eldridge informed me that you are planning daycare and after-school facilities at the Broadway Central. I heartily endorse this concept, but I feel it would be preferable to have such centers set up outside of hotels like the Broadway Central where conditions are so abominable. I would appreciate your keeping me apprised of any meetings or actions taken in this matter. If you provide me with the dates of your future meetings either I, if I am in the City, or a member of my staff will attend.

I am one of those who support complete federal funding for all of the welfare programs in this country. It is a difficult battle as you well know. Maladministration and the waste of taxpayers' dollars (apparently the case in this situation) make it most difficult for those of us who seek the support of Congressional colleagues for more money. One midwestern Member put it to me very crudely although graphically when he said to me "Why should we give New York City more money—you only p— it away." I cannot in good conscience hold you responsible for what is taking place since you are newly appointed. But you must bear the responsibility if the conditions now exposed are not immediately corrected, and if you do not root out

and change the many other instances of malfunctioning which assuredly exist but which have not yet been made the subject of public attention.

My office has written to you on a number of occasions in particular cases and I am sorry to report that we have not received answers to several of the letters. I would very much appreciate your giving prompt attention to those past letters as well as this one.

I would also appreciate your response to several questions that occur to me in the light of my office's experience with individual cases, and the reference in the New York Times of 12/17/70 which stated that the City has lost some \$500,000 in available Federal aid by not applying for carfare for welfare clients traveling between their homes and welfare centers. Why did the City not apply for this federal grant; should the City get federal funds for carfare for welfare clients currently living in hotels and looking for homes, and how can I help remedy this situation?

Sincerely,

EDWARD I. KOCH.

[From the Village Voice, Dec. 24, 1970]

THE GRIM MATHEMATICS OF WELFARE HOTELS
(By Howard Blum)

It is a slow process. A quiet one, too. There are no screams. Silently, mechanically, city officials constantly adjust the figures. There are now 4715 people people living in welfare hotels. With totalitarian effortlessness people become numbers, families become cases. There are 1010 cases staying in 94 welfare hotels. If you have seen one victim, one rat, one destroyed family, you have seen them all. The number of lives becomes as meaningless as the number of dollars spent. In some cases the city has spent \$24,000 a year to house a family of seven. The Department of Social Services will pay more than \$8 million to hotels this year in welfare rents.

Yet the problem continues to spread like cancer, eating away at lives, infecting communities, poisoning a city with hate. At the end of last July, the number of family cases was increased by 229 per cent over the previous year. The number of families living (or, more precisely, existing) in "temporary, emergency" hotel accommodations for more than six months rose 638 per cent.

Still there are no screams. Or at least none we can hear. City officials shake their heads in disgust. Even the Mayor has complained, "These hotels have become notorious sore spots in our city." That was over a month ago. Plans, we are informed, are still in the drafting stage. And as long as there are no screams the plans will probably remain that way. We have bought them four walls and then walked off while they struggled. We have allowed them to experience death, even to die. Our only demand: no screams.

But if you listen closely, if you visit any of these hotels, you can hear the screams. I saw children with lead poisoning at the Broadway Central Hotel. I heard mothers complain about rats at the Mohawk Hotel. Perhaps, though, as Deputy Mayor Aurelio informed me over the phone, the situation is "not that simplistic." Life as depicted in the Broadway Central Hotel in last week's Voice is "not as simple as the misery your story described." Perhaps, as Mr. Aurelio would like us to believe, "a system has been imposed upon the city that is impossible to handle." Perhaps rats and lead poisoning are simplistic caricatures of life in a welfare hotel. Perhaps the city cannot do anything, its good intentions strangled, as the Deputy Mayor insists, "by state and federal regulations."

But, Mr. Aurelio, I am not the one to snipe at. I would have imagined that a Deputy Mayor would be too busy to accuse journalists "of not doing their reportorial homework." Get to the root of the problem, Mr. Aurelio. Go to any welfare hotel. Tell

a mother whose child's lips are swollen from lead poisoning that the situation is "not that simplistic." Tell a family of eight living in one room, cooking on a hotplate, sleeping with a light on at night to watch out for rats, that the city would like to help, but "the situation is just impossible to handle."

The facts are that the city is not doing all it can and should, both legally and humanistically, to handle the situation. Many children in these hotels are not attending school and the city knowingly permits this situation to continue. High city officials deny they were informed about these trauancies early this fall. Other city officials claim they are powerless; it is solely the parents' fault. Still, I find it difficult to believe that if there were more than 1000 kids in Sheepshead Bay who were not in school, their parents would be able to get away with it. Since the city receives state funds for its school system based on weighted average daily attendance, the absence of such a large number of children means the city is being deprived of its rightful number of state dollars for education.

Last week Chancellor Scribner of the Board of Education used emergency funds to hire and train 23 para-professionals to deal with the problem. These para-professionals commenced training last Wednesday and by Thursday they were on the job. This is like picking 23 men, giving them a few hours training, and then telling them to police the ghettos; our hopes for peace rest with them. What can 23 para-professionals do? There are 94 welfare hotels. There are 3445 children. Obviously more men are needed. Men who will be assigned to specific hotels, teams for every floor. The children run about the halls of the hotels using them as a playground. They jump down stairs. They ride the elevators. They push, shove, and giggle. Their parents remain in the rooms. Some lie in bed. Others sit by a table. The television is always on. Who would like to be the one to tell these children this is their future? Who would like to be the one to tell these children that, in fact, they have no future? No future. No memories. Life in a welfare hotel.

The city is disregarding both the letter and the spirit of the law when it houses families in welfare hotels, when it claims there is a ceiling of \$165 a month on rental allowances for apartments for families of five. The city is more willing to pay \$1,200 to \$1,000 a month to house a family in flophouse conditions, in a welfare hotel (a double suite at the Waldorf Astoria costs \$1,064 a month) than to give a family \$200 a month for rental of a five-room apartment.

This is not only foolish but also illegal. As the Hotvet Report on the Welfare Hotel Crisis, prepared for Representative Edward I. Koch, makes clear, "The city Department of Social Services must provide rent payments unless it can establish the existence of suitable cheaper housing. They must not be moved into welfare hotels because of excessive rents." "Welfare hotels," the report continues, "according to Policies S196, are to be a truly emergency last refuge, resorted to only when there is no alternative after an emergency." The city is not fulfilling its legal duty to its citizens when it allows families to continue for months or years living in welfare hotels; S196 requires that "there shall be immediate efforts toward rehousing." The city is lying when it claims it cannot find apartments for welfare hotel tenants because of fixed ceilings on the amount of rental the city is allowed to pay. The state statutes and regulations do not set levels for shelter allowances. The law states that hotel living is just for emergency situations. The duty of the Department of Social Services is to get people out of these hotels. And this means the Department is empowered to pay sufficient rental allowances to accomplish this. There are no ceilings on apartment rental

allowances. This is a lie promulgated by the city's welfare bureaucracy.

At the root of the welfare hotel crisis, city officials are quick to point out, is the shortage of housing. There are just not enough apartments in this city. Over the last three years, 100,000 apartments have disappeared. This was enough to house 275,000 people, a population equivalent to Jersey City's. People are abandoning buildings at a faster rate than the city or federal government is prepared or willing to build new ones. In 1969, 1991 low income housing units were started. In 1970, 4,087 units were started. Each unit takes approximately 18 months to finish. The number of new apartments is a fraction of the number of people needing new homes. At present there are 135,000 families on the two-year waiting list for low income apartments. There is a net loss of housing for 23,000 people per year in this city. Coupled with new household formations involving 52,000 people per year, this means the city will add 75,000 potential homeless annually. Two hundred thousand people looking for homes. Four thousand apartments being built. This is very grim mathematics.

The entire situation is very grim. Too grim for the city to accept responsibility. It brands pictures of the pain "simplistic." It calls Congressmen who point out the problem "irresponsible headline grabbers." Cornered, city officials lie about the law. Like innocents, they point accusing fingers at Albany, at Washington. Perhaps there is some truth to this. But when the screams come, and they will come, misery will give way to pain and grief to rage, and the city officials will be the first to hear the yells of despair. These yells will pierce their windows, fill their streets. Albany and Washington will be too far away. Now is the time for the city to ease the pain. It cannot muffle the screams. Let the city scream with the people. Shout together and work together to get something done. Quick. Before life all over this city becomes like life in a welfare hotel: people surrounded by four walls, silently screaming, silently dying.

ICC JOINS "RAILPAX" CRITICISM

(Mr. MONAGAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. MONAGAN. Mr. Speaker, I note with interest and some gratification that the Interstate Commerce Commission has urged the Department of Transportation to make substantial additions to its "Railpax" national rail passenger system. This is significant to me because on December 18 I had communicated to Secretary Volpe several basic recommendations related to the rail system in the State of Connecticut. I had called Secretary Volpe's attention to the exclusion of rail passenger service for a large portion of Connecticut under the Department of Transportation's proposed system.

Secretary Volpe has acknowledged my letter and assured me that my recommendations have been reported to his staff for their consideration and analysis in preparation of the final report. I am including here a copy of my letter of December 18 addressed to Secretary Volpe and his response:

DECEMBER 18, 1970.

HON. JOHN A. VOLPE,
Secretary of Transportation,
Washington, D.C.

DEAR MR. SECRETARY: This letter is in reference to the Department of Transportation's recently issued Preliminary Report on Basic

National Rail Passenger System under Public Law 91-518.

Although I consider the proposed basic rail system inadequate in several respects as a unified national system, I shall confine my recommendations to my prime concern which is the prospect of adequate rail passenger service in Western Connecticut.

Under the Department of Transportation's proposed basic system, the entire western half of the State of Connecticut, which includes the Fifth Congressional District which I represent, is excluded from rail passenger service. Utilizing the Department of Transportation's stipulated end points of New York and Boston, existing rail lines servicing cities in the Fifth District present logical, viable routes for rail passenger transportation. For example, Waterbury, the largest city in the Naugatuck Valley area, is serviced by a rail line which runs from Bridgeport to Waterbury and North through Hartford. Bridgeport - Waterbury - Hartford - Springfield-Boston passenger service connections with New York should be basic to any plan finally adopted. These routes were active and thriving in days gone by. Danbury is serviced by a line originating in Norwalk; and Meriden, on the eastern flank of the Fifth District, is located on a rail line running from New Haven to Springfield, Massachusetts. The people in those cities are similarly in need of adequate rail service.

Of course, it is functionally impossible to separate the needs and existing capabilities of Western Connecticut from an integrated statewide and regional transportation network, and I urge you to implement a system of rail passenger service for the State of Connecticut and the entire New England area that will not neglect the Fifth Congressional District.

I will appreciate your early attention to my recommendations.

Sincerely yours,

JOHN S. MONAGAN,
Member of Congress.

THE SECRETARY OF TRANSPORTATION,
Washington, D.C., December 21, 1970.

HON. JOHN S. MONAGAN,
House of Representatives,
Washington, D.C.

DEAR MR. MONAGAN: Thank you for your recent letter, regarding my preliminary report on the Basic National Rail Passenger System. I welcome your comments and have passed your recommendations on to my staff for their consideration and analysis in preparation of the final report. Regarding my November 30 announcement, those routes designated were to ensure that the Corporation would offer service on reasonably direct routes, while at the same time giving the Corporation the necessary flexibility to choose the line or combination of lines which would best meet the needs of the public in terms of supply, demand, service and profitability.

I am aware of the keen interest which you and your constituents have in the evolution of a balanced transportation system which will provide the nation with fast, efficient and modern service. It is towards this end that we all are working.

Sincerely,

JOHN W. VOLPE.

PCB'S—THREAT TO THE ENVIRONMENT

(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, increasing concern is being registered regarding polychlorinated biphenyls—PCB's—a dangerous pollutant whose occurrence in

animal life has raised the very serious issue of human safety. Since April, I have been urging that industry and the Federal Government take effective action to protect our environment from this chemical compound.

PCB's are not soluble in water and so, like DDT, they are extremely persistent. Used in such manmade products as inks, sealing compounds, and pesticides, PCB's have been discovered in the tissues of fish and sea birds, in conifer needles, in lipstick, in human fat, and in milk.

On October 14, I reported to the House the events which have transpired since I undertook my campaign to outlaw this dangerous pollutant.

I reported that the Monsanto Co., the sole manufacturer of PCB's in the United States, had agreed to discontinue PCB sales for plasticizer applications after August 30, 1970, and for hydraulic fluids after December 31, 1970.

I reported that the Department of Agriculture had agreed that the use of PCB's in pesticides would be discontinued.

On October 29, 1970, the Pesticides Regulation Division of the Department of Agriculture, which has since been transferred to the Environmental Protection Agency, took action to require that PCB's be removed from the formulations of economic poisons registered under the Federal Insecticide, Fungicide, and Rodenticide Act. PR Notice 70-25 was issued on October 29, 1970, calling for the elimination of polychlorinated biphenyls and polychlorinated terphenyls from economic poisons within a period of 6 months.

I have received a letter from Lowell E. Miller, Acting Director, Pesticide Regulation Division, Environmental Protection Agency, dated December 8, advising me that:

It is our current policy to refuse registration for products containing polychlorinated biphenyls or polychlorinated terphenyls.

I include at this point in the RECORD a copy of PR Notice 70-25, issued by the Department of Agriculture on October 29, 1970, which provides for the elimination of polychlorinated biphenyls and polychlorinated terphenyls from economic poisons:

U.S. DEPARTMENT OF AGRICULTURE,
AGRICULTURAL RESEARCH SERVICE,
PESTICIDES REGULATION DIVISION,
Washington, D.C., October 29, 1970.

PR NOTICE 70-25—NOTICE TO MANUFACTURERS, FORMULATORS, DISTRIBUTORS, AND REGISTRANTS OF ECONOMIC POISONS

Attention: Person responsible for Federal registration of economic poisons.

ELIMINATION OF POLYCHLORINATED BIPHENYLS AND POLYCHLORINATED TERPHENYLS FROM ECONOMIC POISONS

There are accumulating data on the chronic toxicity of the polychlorinated biphenyls and polychlorinated terphenyls to fish and birds and the contamination of the environment by these chemicals.

Certain products containing these chemicals have been registered by this Division for use primarily as insecticides. These chemicals have been shown to act as extenders in certain formulations to prolong the persistence of the pesticide chemicals.

Although the use of these chemicals in economic poisons is not considered an acute

hazard to man or his environment, they do contribute to environmental pollution. Any benefits derived from their use are outweighed by the resulting environmental contamination and the possible long range adverse effects on fish and wildlife. Therefore, the presence of these chemicals in economic poisons must be phased out.

Accordingly, formulators and manufacturers of economic poisons containing polychlorinated biphenyls and polychlorinated terphenyls should change their formulations to eliminate such chemicals either as active or inactive ingredients. It is believed that a period of six months is a reasonable period of time within which to affect such formula changes.

Five copies of a complete statement of composition and five copies of amended labeling should be submitted with the appropriate application form (PR Form 9-198). Applications should bear a prominent reference to PR Notice 70-25.

HAROLD G. ALFORD,
Assistant Director.

RECESS

The SPEAKER. The Chair declares the House in recess, subject to the call of the Chair. The bells will be rung 15 minutes before the House reconvenes.

Accordingly (at 12 o'clock and 45 minutes p.m.), the House stood in recess subject to the call of the Chair.

AFTER RECESS

The recess having expired, the House was called to order by the Speaker at 4 o'clock and 57 minutes p.m.

MESSAGE FROM THE PRESIDENT

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

On December 19, 1970:
H.R. 2214. An act for the relief of the Mutual Benefit Foundation;
H.R. 4634. An act for the relief of Lawrence Brink and Violet Nitschke;
H.R. 7267. An act to require the Foreign Claims Settlement Commission to reopen and redetermine the claim of Julius Deutsch against the Government of Poland, and for other purposes;
H.R. 10153. An act for the relief of Frances von Wedel;
H.R. 12173. An act for the relief of Mrs. Francine M. Welch;
H.R. 12979. An act to amend title 5, United States Code, to revise, clarify, and extend the provisions relating to court leave for employees of the United States and the District of Columbia, and
H.R. 14684. An act for the relief of the State of Hawaii.

On December 21, 1970:
H.R. 2335. An act for the relief of Enrico DeMonte, and
H.R. 2477. An act for the relief of Cmdr. John N. Green, U.S. Navy.

On December 22, 1970:
H.R. 12962. An act for the relief of Maureen O'Leary Pimpare;
H.R. 17582. An act to amend the peanut marketing quota provisions to make permanent certain provisions thereunder; and
H.R. 17923. An act making appropriations for the Department of Agriculture and related agencies for the fiscal year ending June 30, 1971, and for other purposes.

On December 23, 1970:

H.R. 4239. An act to amend the Tariff Schedules of the United States so as to prevent the payment of multiple customs duties in the case of horses temporarily exported for the purpose of racing;

H.R. 7830. An act for the relief of James Howard Giffin;

H.R. 9488. An act for the relief of Mrs. Ruth Brunner; and

H.R. 10634. An act to amend the Interstate Commerce Act and the Federal Aviation Act of 1958 in order to exempt certain compensation of employees from withholding for income tax purposes under the laws of States or subdivisions thereof other than the State or subdivision of residence or the State or subdivision wherein more than 50 per centum of compensation is earned, and for other purposes.

On December 24, 1970:

H.R. 2669. An act to amend section 213(a) of the War Claims Act of 1948 with respect to claims of certain nonprofit organizations and certain claims of individuals;

H.R. 8663. An act to amend the Act of September 20, 1968 (Public Law 90-502), to provide relief to certain former officers of the Supply Corps and Civil Engineers Corps of the Navy;

H.R. 14421. An act to provide for the conveyance of certain property of the United States located in Lawrence County, S. Dak., to John and Ruth Rachetto;

H.R. 15805. An act for the relief of Warren Bearcloud, Perry Pretty Paint, Agatha Horse Chief House, Marie Pretty Paint Wallace, Nancy Paint Littlelight, and Pera Pretty Paint Not Afraid;

H.R. 15911. An act to amend title 38 of the United States Code to increase the rates, income limitations, and aid and attendance allowances relating to payment of pension and parents' dependency and indemnity compensation; to exclude certain payments in determining annual income with respect to such pension and compensation; to make the Mexican border period a period of war for the purposes of such title; and for other purposes;

H.R. 18012. An act to amend the Foreign Service Building Act, 1926, to authorize additional appropriations; and

H.R. 19846. An act to amend the act of August 24, 1966, relating to the care of certain animals used for purposes of research, experimentation, exhibition, or held for sale as pets.

On December 28, 1970:

H.R. 8298. An act to amend section 303(b) of the Interstate Commerce Act to modernize certain restrictions upon the applications and scope of the exemption provided therein, and for other purposes;

H.R. 16498. An act to permit the sale of the passenger vessel "Atlantic" to an alien, and for other purposes; and

H.R. 19402. An act to authorize the Secretary of Agriculture to receive gifts for the benefit of the National Agricultural Library.

On December 29, 1970:

H.R. 19888. An act to provide for the inspection of certain egg products by the United States Department of Agriculture; restriction on the disposition of certain qualities of eggs; uniformity of standards for eggs in interstate or foreign commerce; and cooperation with State agencies in administration of this Act, and for other purposes.

FURTHER MESSAGE FROM THE SENATE

A further message from the Senate by Mr. Arrington, one of its clerks, announced that the Senate insists upon its amendment to the bill (H.R. 19172) entitled "An act to provide Federal financial assistance to help cities and com-

munities to develop and carry out intensive local programs to eliminate the causes of lead-based paint poisoning and local programs to detect and treat incidents of such poisoning, to establish a Federal demonstration and research program to study the extent of the lead-based paint poisoning problem and the methods available for lead-based paint removal, and to prohibit future use of lead-based paint in Federal or federally assisted construction or rehabilitation," requests a conference with the House on the disagreeing votes of the two Houses thereon, and appoints Mr. YARBOROUGH, Mr. WILLIAMS of New Jersey, Mr. KENNEDY, Mr. NELSON, Mr. EAGLETON, Mr. CRANSTON, Mr. HUGHES, Mr. DOMINICK, Mr. JAVITS, Mr. MURPHY, Mr. PROUTY, and Mr. SAXBE to be the conferees on the part of the Senate.

CONFERENCE REPORT ON H.R. 18582, AMENDMENTS TO THE FOOD STAMP ACT OF 1964

Mr. POAGE. Mr. Speaker, I call up the conference report on the bill (H.R. 18582) to amend the Food Stamp Act of 1964, as amended, 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?

There was no objection.

The Clerk read the statement.

(For conference report and statement, see proceedings of the House of December 22, 1970.)

Mr. POAGE (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 gentleman from Texas?

Mr. FOLEY. Mr. Speaker, reserving the right to object, may I ask the distinguished chairman of the committee if it is his intention to explain the conference report to us at an appropriate time?

Mr. POAGE. If the gentleman will yield, it is.

Mr. FOLEY. 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 SPEAKER. The gentleman from Texas is recognized for 1 hour.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

Abbutt	Fallon	Morton
Adair	Farbstein	Mosher
Anderson,	Fascell	Moss
Calif.	Fish	Murphy, Ill.
Anderson,	Ford,	Myers
Tenn.	William D.	Nichols
Andrews, Ala.	Fountain	O'Konski
Andrews,	Friedel	Olsen
N. Dak.	Fulton, Tenn.	O'Neal, Ga.
Aspinall	Gallagher	O'Neill, Mass.
Berry	Gettys	Ottinger
Blackburn	Glaimo	Pepper
Brock	Gibbons	Pollock
Broomfield	Gilbert	Powell
Brown, Calif.	Goldwater	Price, Tex.
Brown, Mich.	Gray	Purcell
Broyhill, N.C.	Griffiths	Railsback
Broyhill, Va.	Grover	Randall
Buchanan	Gubser	Reid, Ill.
Burlison, Mo.	Haley	Reifel
Burton, Calif.	Halpern	Rhodes
Burton, Utah	Hansen, Wash.	Riegle
Bush	Harvey	Rogers, Colo.
Button	Hébert	Rooney, N.Y.
Caffery	Heckler, Mass.	Rosenenthal
Carter	Henderson	Rostenkowski
Casey	Hollfield	Roudebush
Chappell	Horton	Rousselot
Chisholm	Howard	Ruppe
Clausen,	Hull	Satterfield
Don H.	Hungate	Scherle
Clawson, Del	Jacobs	Scheuer
Cleveland	Jarman	Scott
Collier	Johnson, Pa.	Sebelius
Collins, Ill.	Jonas	Shibley
Conte	Jones, Tenn.	Smith, Calif.
Conyers	Karth	Snyder
Corbett	Kleppe	Staggers
Coughlin	Kuykendall	Steiger, Ariz.
Cowger	Landrum	Stokes
Cramer	Langen	Stuckey
Cunningham	Lennon	Sullivan
Daddario	Long, La.	Talcott
Davis, Ga.	Lowenstein	Teague, Tex.
de la Garza	Lujan	Thompson, Ga.
Delaney	McClory	Tiernan
Denney	McCloskey	Tunney
Diggs	McCulloch	Ullman
Dingell	McDonald,	Waggonner
Dowdy	Mich.	Watts
Dulski	McEwen	Weicker
Dwyer	McKneally	Whalen
Eckhardt	Martin	Whalley
Edmondson	Mathias	Wilson, Bob
Edwards, Ala.	May	Winn
Edwards, Calif.	Meskill	Wold
Edwards, La.	Michel	Wyatt
Erlenborn	Miller, Calif.	Wydler
Esch	Minshall	Yatron
Evans, Colo.	Mlze	Young
Evins, Tenn.	Moorhead	Zion

[Roll No. 453]

The SPEAKER. On this rollcall 255 Members have answered to their names, a quorum.

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

ELECTION OF HON. PHILIP J. PHILBIN AS CHAIRMAN OF COMMITTEE ON ARMED SERVICES

Mr. MILLS. Mr. Speaker, by direction of the Committee on Committees, I offer a privileged resolution (H. Res. 1322), and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. Res. 1322

Resolved, That Philip J. Philbin, of Massachusetts, be, and he is hereby, elected chairman of the standing committee of the House of Representatives on Armed Services.

The resolution was agreed to.

A motion to reconsider was laid on the table.

CONFERENCE REPORT ON H.R. 18582, AMENDMENTS TO THE FOOD STAMP ACT OF 1964

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

Mr. POAGE. Mr. Speaker, on December 16, this House passed H.R. 18582, to amend the Food Stamp Act of 1964. During debate on that measure I explained to our colleagues that the bill reported by the Committee on Agriculture was one which would satisfy neither the extreme liberals nor the extreme conservatives, but it was rather a serious attempt to follow a middle course. The bill which the committee reported and the House passed was endorsed by the Department of Agriculture and was supported by an overwhelming majority of our membership because it—

First, provided a food stamp allotment sufficiently adequate to purchase what the Department of Agriculture and the act itself describe as a "nutritionally adequate diet"—not a "survival diet" as reported by some of the critics of the report;

Second, provided that no participant would be required to pay more than 30 percent of his income for his stamp allotment;

Third, provided that uniform national eligibility standards would be established;

Fourth, authorizes the simultaneous distribution of food stamps and commodities in areas which request both programs—but does not allow any one family to participate in both programs at the same time;

Fifth, allows participants to purchase stamps at frequent intervals;

Sixth, directs States to engage in "out-reach" activities to inform low-income households of the program;

Seventh, guarantees aggrieved applicants that they will be given a fair hearing; and

Eighth, allows welfare recipients to have the cost of their stamps deducted from their checks.

The House-passed bill actually went even further than the Department of Agriculture suggested. It authorized elderly shut-ins to use food stamps to buy meals on wheels; it extended the program to Puerto Rico, the Virgin Islands and Guam; it would require able-bodied adults to register and accept work as a condition of eligibility; and finally, the House-passed bill would have required the States to pay a portion of the cost of the program.

As you know, the record vote in this House on final passage of the bill as reported by the Committee on Agriculture was 290 to 68. You will recall that this vote came subsequent to this body's rejection of two substitutes, one of which was proposed by the gentleman from Washington (Mr. FOLEY) and the gentleman from Minnesota (Mr. QUIE), the other by the gentleman from Virginia (Mr. ABBITT). Let us for a moment recall that floor debate and put into prospective the developments, for they provided a backdrop for the House conferees who stood resolute and have essentially preserved the House bill.

During the consideration of the committee bill, H.R. 18582, in the Committee of the Whole, the Foley-Quie substitute was offered. Thereafter the Abbitt substitute, which contained a prohibition against stamps for strikers, was substituted by a teller vote of 119 to 116. When

the Committee rose, the Foley-Quie substitute, as amended by the Abbitt substitute, was rejected by a vote of 172 to 183. This vote in essence was on the sole question of adding the antistrike amendment to the House bill. Failure of the substitute resulted in a vote on which the choice was between the committee bill or termination of the program. Those who seek to change this program had their "day in court." They lost then and they must lose again today if there is to be a food stamp program.

In the conference with the other body, the House conferees tried to meet their responsibility to uphold the House-passed bill.

The conferees have generally preserved the essential provisions of the House-passed bill.

Important changes are—

First, the provision which would have required States to pay a part of the cost of the program has been deleted;

Second, persons of the lowest income strata—families of four whose income is less than \$30 per month—will be authorized to receive free stamps;

Third, in lieu of open end appropriations for the 3-year duration of the bill an appropriation authorization of \$1.75 billion has been inserted for fiscal 1971; open end appropriations are authorized for fiscal 1972 and 1973;

Fourth, self-certification will be authorized for welfare recipients only; and

Fifth, the work amendment has been retained. It simply requires that no able-bodied adult will be issued food stamps if he refuses to register for and to accept employment, provided that the proffered employment is at the minimum wage or if there be no minimum wage applicable, it be as much as \$1.30 per hour. Stories in the press notwithstanding, the work requirement is not an attempt to reincarnate the "sweatshop" conditions of the 19th century. To the contrary, no food stamp applicant would be denied participation in the program if he registered for work unless he refused to accept a job which paid at least the applicable Federal minimum wage, State minimum wage, other minimum wage set by Federal regulation, or \$1.30 per hour if none of these other wage criteria apply.

Furthermore, only able-bodied adult persons would be required to register and accept employment. There are three main exceptions to this requirement: Those who are mothers or who care for infants or incapacitated family members; those who are students; or those who are employed and working at least 30 hours a week.

As I said at the onset, the House conferees have preserved most of the House bill. They have during the course of the conference considered and rejected the possibility of extending the present law through the early months of the 92d Congress. This alternative was expressly rejected because there is no assurance whatsoever that the family assistance program will have been enacted before the brief extension period will have expired. In view of the lateness of the session, it seems essential to us that we accept this conference report if we are going to assure the continuation of this

assistance to millions of deserving people. It should be perfectly clear that there is no chance whatsoever to extend the present law for 6 months, 6 weeks, or for that matter 6 days. I urge my colleagues, therefore, to vote for the adoption of the conference report lest the food stamp program be allowed to expire. As many of you know, the appropriation authorization for the program expires on December 31, 1970. This authorization has been extended by other legislation through January 31, 1971. However, the U.S. Department of Agriculture advises me that their appropriations are not sufficient to carry the program beyond the 15th of January.

It is therefore, imperative that the House adopt this conference report. The choice is simple. The choice is whether to assure nearly 13 million Americans sufficient purchasing power to obtain a nutritionally adequate diet or to "let them eat headlines."

Mr. FOLEY. Mr. Speaker, will the gentleman yield at that point?

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

Mr. FOLEY. Could the gentleman advise the House on the effect of the work requirement if a Federal minimum wage had not been established for a category, but a State minimum wage did exist for that category of work?

Mr. POAGE. I did not understand the gentleman. There was so much conversation I could not understand what the gentleman said.

Mr. FOLEY. Could the gentleman advise the House as to the effect of the work requirement in the event that a Federal minimum wage was not established for a category of employment, but a State minimum wage existed in a particular jurisdiction covering that employment?

Would that State minimum wage control?

Mr. POAGE. The State minimum wage would then control. And if there were no State minimum wage but there were some minimum wage established by an applicable Federal regulation, it would control. In the absence of all those, where there is no present protection whatever as to the amount of the wage, the individual would have to be offered work at a minimum of \$1.30 an hour before he would have to take it.

Mr. FOLEY. If the gentleman would yield further, in that event, supposing that in a State the minimum wage is 85 cents an hour under State law, and there is no Federal category for the particular classification of work, could a person be required to accept work at 85 cents an hour?

Mr. POAGE. No, he would have to get \$1.30 an hour. He would have to be offered work at \$1.30 an hour before he would have to take it.

Mr. FOLEY. In other words, in no event could employment be offered at less than \$1.30 an hour?

Mr. POAGE. That is right.

Mr. FOLEY. Even though there might be a lower State minimum wage.

Mr. POAGE. Yes, that is correct.

Mr. FOLEY. I ask this for the purpose of making legislative history.

Mr. POAGE. That is correct. We do not require any except able-bodied adults to register and accept employment. There are three main exceptions even to this: Those who are mothers and who have the responsibility of the care for children or invalid members or incapacitated members of the household; those who are students regularly registered in an institution of education; and there is a third category.

There are three major exemptions to the requirement that an adult able-bodied member of the household accept employment. These include mothers who have the responsibility for the care of children or incapacitated members of the household, and also students regularly attending institutions and attending classes, and also those who are already employed and working at least 30 hours a week. That was a Senate provision, and it is in there for the reason that if somebody is a member with only 1 hour of work a week, he might effectively evade all practical results of the provision.

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

Mr. POAGE. I yield to the gentleman from Texas (Mr. GONZALEZ).

Mr. GONZALEZ. Mr. Speaker, I may say I want to ask the gentleman about what he said earlier, which I did not quite clearly understand. My question is whether the House receded from the position it had taken about the State contributions?

Mr. POAGE. The House did recede from its requirement for State contributions in its entirety, and the conference report requires no State contributions.

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

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

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

Mr. ANNUNZIO. Mr. Speaker, I would like to ask the distinguished chairman to clear up the question about money for the food stamp program. As I understand there are sufficient moneys in the program to carry us through January 31, 1971.

Mr. POAGE. I do not think that is correct. They can spend the money until January 31, 1971, if they have any, but the Department of Agriculture indicates that the moneys that are appropriated under the existing authority will last them only until about the middle of January.

Mr. ANNUNZIO. In other words, when we come back here on January 19 or 20 we will have plenty of time to process a resolution, if necessary, in order to have the food stamp program continue, and this program will not necessarily die if we do not support the food stamp program and the slave labor section of the food stamp program in the conference report.

Mr. POAGE. Yes, it will necessarily die, if the Department is correct as to its estimate as to the amount of money available. They will be out of money about a week before we come back.

Mr. ANNUNZIO. Will the gentleman yield further?

Mr. POAGE. I yield to the gentleman.

Mr. ANNUNZIO. I thank the gentleman for yielding. Departments have

proved to be wrong in the past, and they can be wrong now.

Mr. POAGE. They can, indeed.

Mr. ANNUNZIO. As to the amount of money in the program.

Mr. POAGE. They can, indeed. If the gentleman cares to gamble upon their being wrong, of course that is his responsibility.

But your conferees were confident that we need the program passed before the first day of the year and that if it is not passed by the first day of the year there are about 999 chances out of 1,000 that there will be some 13 million people cut off of food stamps, and those who vote against this conference report will have to accept that responsibility.

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

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

Mr. FOLEY. I thank the gentleman for yielding.

I should like to return for a moment to the provisions of the conference report with respect to the work requirement. Is it correct that under the work requirement as reported in the conference report any person in the household—not just the father or the mother, but any person—not exempt from the work requirement, between the age of 18 and 65, who refuses or fails without just cause to register and accept employment, would destroy the eligibility of every person in the household to receive food stamps, including minor children?

Mr. POAGE. It does, indeed.

Mr. FOLEY. I thank the gentleman.

Mr. POAGE. As I said at the outset, the House conferees have tried to preserve the House bill. They have during the course of the conference considered and rejected the possibility of extending the present law through the early months of the 92d Congress. This alternative was expressly rejected because there is no assurance whatsoever that the family assistance program will have been enacted before the brief extension period will have expired.

In view of the lateness in this session, it seems desirable to us that we accept this conference report if we are going to have assurance of a continuation of assistance to millions of deserving people.

It should be perfectly clear, as I see it, that there is no chance whatever to extend the present law for 6 months, for 6 weeks, or for 6 days. I, therefore, would urge my colleagues to vote for the adoption of the conference report lest the food stamp program be allowed to expire.

As many Members know, the appropriation authorization has been extended under other legislation through January 31, 1971. However, as I pointed out a moment ago, the Department of Agriculture advises that its appropriations are not sufficient to carry the program beyond the middle of next month. It is, therefore, imperative that the House adopt the conference report.

The choice is simple. The choice is whether we assure nearly 13 million Americans sufficient purchasing power to obtain a nutritionally adequate diet or whether we let them eat headlines.

Mr. Speaker, that is our choice between a nutritionally adequate diet and headlines. I do not care how politically attractive the headlines are. They are not adequately nutritional.

Mr. Speaker, I now yield 3 minutes to the gentleman from Minnesota (Mr. QUIE).

Mr. QUIE. Mr. Speaker, I plan to support the conference report. I am happy that some improvements were made in the House-passed bill. The most significant for the poorest of the poor, of course, is the provision for free food stamps. A family of four with earnings under \$30 a week will now be able to receive \$106 a month worth of food stamps free. My understanding is this figure will soon be going to \$108 per month for a family of four.

The conferees also dropped the State buy-in provision which, as it was written, would have made it extremely difficult for many States to finance the program and would have been a handicap to the poor and needy.

While there are other smaller provisions which slightly liberalize the House-passed bill, I wish the conferees would have compromised to the extent that the Foley-Quie substitute was brought back to the House. Especially this would have solved the problem where the work requirement amendment still seems quite onerous for some individuals. However, I must point out to my colleagues that we had an opportunity to adopt the Foley-Quie substitute when the bill was before the House and we missed by three votes.

I find it difficult to criticize the House conferees on this legislation for attempting to stick by the position of the House. That, I feel, is the responsibility of House conferees. Many times in the past I have been critical of some of the House conferees on bills that originated in the House Committee on Education and Labor. I spoke my dissatisfaction when the occupational health and safety conference report was before the House.

It was the Senate, not the House, who yielded the most and receded from their position in the food stamp bill. It is for this procedural reason that I shall attempt to be consistent and shall support the conference report.

To the extent that the work provision might be onerous, I believe, No. 1, the Department of Agriculture should do everything it possibly can in its guidelines to make this provision as acceptable as possible. As an example, an alcoholic father should be found medically handicapped just as anyone else with a disease that prevents them from working, and the family not be denied food stamps when he is not working. Second, if it is found in some States that poor people and especially children are denied an adequate diet because of this work provision, it is not necessary for this Congress to wait for the Agriculture Committee to act. Many people share my pessimism that the Agriculture Committee would not act very fast. Instead, we know that the family assistance program is high on the administration's priority. It passed the House early in this session of Congress but failed in the other body. We can expect early action in the next Congress on the family as-

sistance program I know in the House and, I think with every expectation, also in the other body. At that time any difficulties with the work provision in the food stamp program can be ironed out.

Personally, I believe the food stamp program should be cashed out and be made a part of the family assistance program. If the Congress chooses not to cash out food stamps, I believe that the Congress will see fit to enact an identical work requirement for both programs. The mere fact that the pressure of adjournment caused the Congress to adopt a more restrictive provision than next year might prove to have been wise, it should not be considered as a precedent. I am sure most Members of this body would not consider the details of this work requirement a precedent to be followed in the future, only the principle of a work requirement.

Finally, Mr. Speaker, I believe that this conference report is an improvement over the House-passed bill and is an improvement over the present law and, therefore, should be adopted as a substantial step forward.

Mr. POAGE. Mr. Speaker, I yield 10 minutes to the gentleman from Washington (Mr. FOLEY).

Mr. FOLEY. Mr. Speaker, almost every circumstance in the consideration of this conference report fills me with regret. I profoundly wish that conditions were different. I wish that it had been possible for the distinguished Committee on Agriculture to report a House bill and a conference report in sufficient time for an orderly and more dispassionate consideration of the singularly important issues involved than I fear will be possible tonight. We live in a paper world in Congress and it is not always easy to know the real world. Beyond the words and numbers and statistics that are printed in the bill and report and in the hearings in and out of committee rooms over the last 2 years there looms a stark reality recognized by the President of the United States early in 1969 when he said that unwilling as some might be to recognize it the problem of hunger and malnutrition exists in America. He then pledged for his administration, and beyond that for the entire American society, to wipe out hunger at least in America itself, for all time.

Mr. Speaker, this bill tonight will not redeem that pledge. There are many inadequacies contained in the conference report. It does nothing to increase the amount of food aid to hard-pressed families, it does nothing to help families who are struggling with problems of hunger and malnutrition and also with the delays and complexities of certification to mention two major deficiencies.

But, that aside, the most unfortunate part of the conference report is the inclusion of what I must call, perhaps, not by intent, but in reality a vicious, vicious section. I refer to the so-called work requirement.

Now, let there be no misunderstanding about this. I joined with the distinguished gentleman from Minnesota (Mr. QUÉ) and many others on both sides of the aisle in supporting a reasonable work requirement. I am not opposed to this concept. I am for it, but a work

requirement which provides that those who fail to meet these requirements themselves bear the consequences and not visit them on innocent children.

Mr. Speaker, we do not ask the public schoolchild whether his father is employed when we decide whether to give him an education because we have decided for all of our fellow citizens that it is in the interest of every child to have an education so that he may be self-supporting and a contributing citizen. By the same token, countless studies indicate that if a child suffers with malnutrition and hunger it contributes to his lack of progress in school and is directly connected with mental retardation.

Why should we wish to deny children food?

What good do we do by denying a family a chance to provide nutrition for children because the child has the additional misfortune of having an alcoholic father or an addicted uncle or older brother?

Because I want to remind every Member of the House tonight that it is not just the noncomplying father that can kill the program for the entire family. A sister 19 years of age, a brother 18, an uncle 31, a grandmother in her fifties, any one of whom fails to meet in full this requirement causes the loss of the entire household's eligibility and denies every household member participation regardless of his compliance, exemption, status, or age.

I do not believe that any Member of this House would deny help to a family that came to him with precisely the circumstances this work requirement contemplates. If, for example, a distraught wife and mother told you her husband was an alcoholic and would not work and that her children were hungry and asked for your help to feed her children, what would your answer be? Would you deny her aid or be more sympathetic and more concerned not only because the woman and her children were hungry but because of their additional misfortune in having so inadequate a father. Yet we refuse somehow to transfer our private instincts to our public judgment.

We have before us a provision which visits the sins of the fathers and, yes, the mothers and sisters and brothers, uncles and aunts, on innocent children who are completely helpless to make any change in their condition or circumstances.

This conference report calls for a 3-year authorization. If it passes tonight, unchanged, you will have set a precedent of the most dangerous and disturbing kind which I am convinced will ultimately offend the conscience of the Congress and the country.

If I have an opportunity to be recognized, I propose to recommit the conference report to the conference committee with instructions to eliminate this work-repressive section. That is not what I would like to do. What I would like to do is substitute a reasonable work requirement, one that meets the tests of humanity, compassion, and justice as well as one which might hope to accomplish the legitimate aims of a work requirement. But the parliamentary situation may not permit that, because such

an alternative is not in either bill. But I assure every Member in this House that if the conference report were to come back without this particular work requirement, I and many others will promptly introduce legislation in the next Congress for a reasonable effective and humane requirement and work for its early enactment. I think every Member of the House could support such an effort.

But tonight we must make a too-hasty judgment as to whether we think it is wise to make an effort at punishing some ne'er-do-well or shiftless and lazy father in a family by making his children go hungry.

I ask every Member to consider in his heart whether he thinks that is right; whether he believes that is just; whether he thinks this is in the interest of his country and in the development of a sound and responsible body of citizenry from among the youth who depend on this program.

I would like to remind my distinguished colleagues on the Republican side that the work requirement which was contained in the Foley-Qué substitute was almost exactly that proposed by the President and the administration for the family assistance plan. Time and time again spokesmen from the administration have said that they do not favor the cutting off of aid to children. Child nutrition and welfare has been the consistent and continual position of this administration, and of the President of the United States. The Secretary of Agriculture during all the discussions of the Committee on Agriculture throughout its consideration of this bill, opposed the harshness and rigidity of this provision.

It is said that if we do not pass this conference report without change, the program will cease. I do not believe that if the conferees are instructed they will fail to heed the instructions of the House. That has not happened in modern times. I do not believe, in particular, that the conferees of the Committee on Agriculture would be so contemptuous of the judgment of the House that they would refuse to follow instructions of that kind.

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

Mr. FOLEY. I have very little time, and I would like to finish my statement.

Mr. Speaker, may I ask how much time I have remaining?

The SPEAKER pro tempore. The gentleman has 2 minutes remaining.

Mr. FOLEY. I will yield to the gentleman in a minute if I can.

Mr. Speaker, I think all of us can be assured that if this harsh and unjust work requirement is stricken, it will not eliminate all work requirements from the program. The distinguished chairman favors a work requirement as does the distinguished ranking minority member, as does literally every member of the Committee on Agriculture. Every member of that committee would then be actively involved in reporting additional recommendations for a work requirement that this House might consider again almost as soon as the new Congress is organized.

Each of us is conscious of moments in this Chamber when what we are about

to decide seems clearly of more than usual significance. I believe this is one of those moments. What we do tonight will affect the lives of millions of our fellow Americans. In the city ghettos and barrios, in mountain towns, in quiet villages, on far-off Indian reservations, and a few blocks from this House, Americans are hungry. They are not citizens of poor, foreign countries. They are Americans—citizens of history's richest Nation.

I have often been amazed at the great ease with which we pass appropriations to feed the hungry in Bihar or in Afghanistan or Nigeria and then find such great agony in meeting the need of the most innocent of our own countrymen.

We do not ask for such a requirement in India or in Pakistan, in Nigeria or Peru. When children have been hungry anywhere in the world Americans have said they should be fed. We do not begin to demand the stricture of this rule when we provide food for foreign hungry children. Why do we impose it on our own?

How is it and why is it that the generous spirit and compassionate humanity which is so much a part of our national character abroad departs from us at home among our own countrymen?

Are we rash and silly when concerned about a nation of healthy and well-nourished Americans but deliberate and wise when tending to the health and well-being of millions of fellow humans in every part of the globe.

And when war and the draft call comes, do we ask a young man to justify his right to serve us in uniform? All we ask is for a man who is ready to serve and perhaps die for his country. We will never ask him to justify his right to die even though a few months before we may have asked him to justify his right to eat.

The most fundamental of all things that any society can guarantee is physical security—the right to live, the right to live in peace, the right to live in a decent home, to have enough food to nourish one's family, to educate them, to work and to train them, to work for a better life for the family and the community of fellow citizens.

All I ask of the House tonight is to eliminate from this conference report a section that strikes at every one of these objectives—a section that solves no problem and creates many, a section that does nothing for the betterment of this program or for the improvement of family unity, responsibility or self-support. On the contrary, this shortsighted and brutal provision invites abuse, encourages deception, and literally incites fraud. With even-handed injustice it punishes alike the guilty and the innocent, the shiftless and the responsible, the lazy and the industrious. This is a mean and foolish rule which if enforced will count its achievement not in the numbers of unwilling adults forced to work, but in the numbers of children made hungry and families destroyed.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. POAGE. Mr. Speaker, I yield 1 extra minute to the gentleman.

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

Mr. FOLEY. I yield to the gentleman from Texas.

Mr. WHITE. Mr. Speaker, I want to explore your argument a little bit.

Your point is that the head of the household, the father presumably, would be taken out of action and, therefore, the children would suffer.

Is it not true that the head of the household could be the mother or the brother or whoever is the breadwinner in the family?

Mr. FOLEY. I want to advise the gentleman that the requirement in the conference report does not go merely to the nominal breadwinner or head of household. It applies to every adult person, male or female—father, mother, sister or brother, uncle, aunt, grandparent—whether related by blood or marriage—or not related as long as such an adult is a normal member of the household and not specially exempt because of age or illness, for example.

This means that it is not sufficient for even an exempt adult to step in as a substitute for the failure by another adult in the household. For example, teenaged sons and daughters cannot step forward and by quitting school meet the requirement of a failing father by taking employment. Nothing they or anyone else can do will satisfy this harsh penalty of punishing all for the sin of one, unless of course it is possible for them to disown and expell their father from the household. When I say possible I suggest that it may well be physically and legally as well as emotionally impossible for them to do so.

Mr. WHITE. Is it not true that you are not denying the children if someone is willing to provide the family bread?

I talked to the chairman and he says it can be one of those members of the family and if there was an alcoholic father, and children would not necessarily suffer for want of food stamps.

Mr. FOLEY. The conference report work requirement cannot be satisfied regardless of how many members of the family comply. If only one fails, all members of the household lose their eligibility. If jobs exist for other able-bodied adults in the family perhaps the children can be fed. There is now widespread unemployment, as the gentleman knows. The failure of one adult to register even if there is not a job available for him cuts off all the complying adults and all others in the family. There is one other thing I want to say if the gentleman will permit me. The conference report requirement contains a provision that requires an individual working less than 30 hours a week to accept employment at \$1.30 an hour even though his income might be higher in the less-than-full-time employment. This is one additional folly in this provision which makes both angry and sad.

The SPEAKER. The time of the gentleman has expired.

Mr. POAGE. Mr. Speaker, I yield 5 minutes to the gentleman from Oklahoma (Mr. BELCHER).

Mr. BELCHER. Mr. Speaker, I was never for this food stamp bill because I knew that it would grow out of all proportion just as soon as we got it started.

This bill was presented to the House on the theory that there was a need for poor working people that had a salary but did not have enough salary to provide the proper diet for their children—and this was not ever to be a relief program. It was only to be a supplemental to the diet.

I did not buy that because I knew the politicians would just get hold of this bill and would jack it up through the ceiling. It started with a few million dollars. This bill provides \$2 billion. We hear people talk about this being a niggardly bill, that it ought to provide \$4.5 billion, which the Quie-Foley amendment would have provided, or the \$6 or \$7 billion that was provided in the bill passed by the other body.

I do not know how the people in Oklahoma can get along. There has not been a food stamp in Oklahoma since this program started. You cannot get a food stamp down there if you register for work and take a job. You still cannot get a food stamp.

I know this, that sooner or later the American people are going to rebel against this food stamp program.

We heard that 200,000 strikers got food stamps. I got hundreds of letters, and probably the rest of you did, too, on that same subject. When we hear it said, as the gentleman from Washington just said, that it is terrible for a man to have to take a job at \$1.30 an hour—now, that would be awful, would it not?

I had two children in 1931. In those days there were no food stamps. There was no relief. There were no soup lines. I would have worked for 25 cents a day before I would have remained idle. I did work for \$29 a month, and I would not have refused any kind of offer.

The gentleman said that a husband and wife could both be employed, but if they had an 18-year-old boy who would not register for work, the whole family would get out of the program. I say that if that father did not have enough control over his 18-year-old boy to force him to register for work, they ought to be deprived of food stamps.

I really believe that this work amendment is jacked up out of all proportion. I doubt that it will make a great deal of difference. I doubt very seriously if there are many people, many families, who will be deprived of food stamps under this work amendment. But it certainly is not good public relations when the Congress, in the last hours of this session, knocks out a requirement that a man must work if he was offered a job in order to receive food stamps. What would the taxpayers of the country think about a deal like that?

I do not think it is good public relations for the people who want to support the food stamp bill. If you merely want to keep bad public relations, some day those of us who have opposed food stamps will find that you are just going to sink it for us.

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

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

Mr. FOLEY. The gentleman does not intend to convey the impression, I hope, that Congress would not have authority

to amend this bill as soon as the committees are organized in the 92d Congress to provide a different kind of work requirement?

Mr. BELCHER. I would say that the next Congress can consider any kind of bill that it wants to, and if a bill can pass the House and the Senate and be signed by the President, it can change any statute on the books. I say if the gentleman really wants a \$2 billion food stamp bill, just wait until next year and try to get rid of this little work amendment. At least 99.98 percent of the people in America are going to get food stamps even under the work amendment. There are going to be very few people who are going to be deprived.

But I will say to the gentleman that in this last hour, if we recommit this, I do not believe we will get a food stamp bill.

Mr. FOLEY. If the gentleman does not think the work requirement is going to be any more effective than that, I am surprised he is not willing to eliminate it, and to try to work out a better work requirement early next year.

Mr. BELCHER. I just do not want to go back to Tulsa, Okla., and tell the taxpayers that I eliminated a requirement that a man would have to take a job before he could get food stamps. I just would be ashamed to make that kind of statement to the taxpayers.

Mr. MELCHER. Mr. Speaker, the bonus value of the stamps is the crux of the food stamp bill—\$106 per month for a family of four or \$26.50 per person per month is scant food provisions.

The alternative proposed was \$134. The latter more truly represents a complete and nutritious diet for a family under existing food costs.

The difference of \$28 per month for the family is the difference of enough high protein foods in the household: milk, eggs, butter or margarine, and meat.

America has these foods in abundance. It is only good judgment to share these foods and distribute the purchasing power to the hungry—old or young—throughout America.

The bill falls short of improving the program adequately to simplify the procedures for certification and distribution of the food stamps. The bill does lack the advantages of the Foley-Quie proposals to prevent abuse and graft with food stamps. We are falling short of meeting the needs for improvements that the program and people deserve.

Mr. ANNUNZIO. Mr. Speaker, this bill is an abominable one, and I cannot vote for it. I will vote to recommit to conference. I am informed that the present law permits the continuation of the expenditure of funds for the food stamp program through January 1971, leaving us sufficient time in the new Congress to pass a continuing resolution to permit further operations under the program until a better bill can be written in the 92d Congress, so there would be no tragedy if this bill were to die right here.

It was a very bad bill when it was passed by the House on December 16—so bad that the Member of this Congress who has had the most to do with the fact that there is a food stamp program

in operation, the gentlewoman from Missouri, Congresswoman SULLIVAN, voted against it. And so did I. We were afraid that it would come back from conference not much better than the bill which was being voted on in the House. The conference report confirms that fear. It is an unsupportable, almost an unspeakable, bill—containing as it does what I call the "cotton picking" amendment, which might also be called the "potato picking" amendment, or the "forced-work-at-starvation-wages" amendment.

The conferees took out of the House-passed bills another crippling amendment, which would have required the States to pay up to 10 percent of the cost of the food coupons. But they left in the bill this monstrosity of a forced-work requirement which would turn the food stamp program into a reservoir of low-pay seasonal workers at the generous wage of \$1.30 per hour.

Regardless of your educational background or work experience or the reason why you may need help in acquiring an adequate diet for health, you have to sign up for cotton picking or potato picking or snow shoveling or whatever the prospective employer wants to hire you for, at the lowest possible wage.

This appears to me to be a method to try to solve the wetback problem by creating the soreback problem—those temporarily unemployed because of economic conditions prevailing under the Nixonomics "game plan" would have to accept whatever jobs were offered, nearby or miles and miles away, in order to be able to buy a minimum diet under the food stamp program.

The statement of managers on the part of the House states that the House conferees do not intend this to mean that you have to go to a "far distant State" to accept such employment. They do not define what they mean by a "far distant State," so I guess my people in Chicago would not have to go to Hawaii to pick pineapples in order to qualify their families—their children—for food stamps in Chicago, but maybe they would have to go to California to pick lettuce. California is no longer "a far distant State" by air. Does it mean potato picking in Iowa, corn picking in Nebraska—if they still do any of that by hand—or what kind of peonage labor does it mean?

Mr. Speaker, this bill so proudly put forward by most of the members of the House Committee on Agriculture, including several who never before voted for any food stamp program, proves that the Committee on Agriculture has virtually no concern for the people of our cities, for those who pay the taxes which make all of the farm subsidies possible.

I have supported farm programs in the past because I believe all of the people of this country have to pull together and work together and help each other economically, or none of us can prosper. But it is all one sided as far as the Committee on Agriculture is concerned: pour out billions in subsidies to the farmers but make the unemployed computer programmer or billing machine operator or sheet metal worker go hungry unless he signs up to pick cotton or potatoes or shine shoes.

I have had enough of that attitude, Mr. Speaker. From now on, I vote for no farm program which gives an absentee owner a cent that he does not earn by the sweat of his brow out picking his own cotton.

Mr. ANDERSON of Illinois. Mr. Speaker, the food stamp substitute before us today is a compromise between two widely divergent bills. As such, it is not likely to elicit the enthusiastic support of either of the two disparate factions involved in drafting those original bills. But the important thing is that the conferees have agreed upon a compromise bill which will enable us to renew and reform the food stamp program. I would not argue for one moment that the reform provisions of this substitute represent a cure-all and end-all to the problem of hunger in America. In some respects, this bill is both insufficient and deficient. But I do think that for the most part this legislation represents a very positive step in the direction of food stamp reform and our goal of putting an end to hunger and malnutrition in America for all time.

Let me list just briefly those features of the substitute which I feel do represent substantial improvements in the food stamp program. First, the funding level for food stamps has been raised from \$1.42 billion to \$1.75 billion in fiscal year 1971. Second, uniform national eligibility standards have been established for the first time, free food stamps are provided for the most destitute, new educational programs are created, and special provisions are made for the aged. I am also pleased that the conferees have deleted the State-sharing requirement which would have made participation extremely difficult for our financially strapped States.

On the other hand, I think it is regrettable that the work requirements and criteria in this legislation are not in line with those recommended in the administration's family assistance plan which has already passed this body.

Even the House conference report speaks to the need for "a uniform application of 'workfare' criteria" in the food stamp and family assistance programs, and yet, in this substitute we have a different approach to workfare than that incorporated in the welfare reform bill we have already passed. I for one favor the administration's approach because it is more humane and responsible than the punitive workfare provisions of this legislation. This bill quite simply would, in the words of the book of Exodus, "visit the iniquity of the fathers upon the children;" it would deny food to hungry children because their father refused work. This is a most cruel and retrogressive step in our drive to eradicate hunger and malnutrition in America. I would therefore hope that early action is taken in the 92d Congress to reform and integrate the welfare, food stamp, and manpower training programs along the lines of the administration's original recommendations, particularly as they relate to work criteria and benefit eligibility.

Mr. Speaker, because the hour is late in this 91st Congress and because this bill, with one major exception, does lay the groundwork for substantial reform

of the food stamp program, I urge adoption of the conference report. In urging an end to hunger and malnutrition in America for all time, President Nixon reminded us—

More is at stake here than the health and well-being of 16 million American citizens who will be aided by these programs and the current Child Food Assistance programs.

In his words: "Something very like the honor of American democracy is at issue." Mr. Speaker, let us resolve today to work tirelessly until we have eliminated hunger and malnutrition in this land. To do otherwise would be to deny our great democratic and Christian traditions.

Mr. POAGE. Mr. Speaker, I yield back the balance of my time.

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

The previous question was ordered.

MOTION TO RECOMMIT OFFERED BY MR. GOODLING

Mr. GOODLING. Mr. Speaker, I offer a motion to recommit.

The SPEAKER. Is the gentleman opposed to the conference report?

Mr. GOODLING. I am, Mr. Speaker. The SPEAKER. The Clerk will report the motion to recommit.

The Clerk read as follows:

Mr. GOODLING moves to recommit the conference report on the bill H.R. 18582 to the Committee on conference.

Mr. POAGE. Mr. Speaker, I move the previous question on the motion to recommit.

The SPEAKER. The question is on ordering the previous question on the motion to recommit.

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

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

The SPEAKER. Evidently a quorum is not present.

PARLIAMENTARY INQUIRIES

Mr. GERALD R. FORD. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. GERALD R. FORD. Mr. Speaker, is this vote about to be taken on the previous question on the motion to recommit?

The SPEAKER. This vote is on ordering the previous question on the motion to recommit.

Mr. FOLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. FOLEY. Mr. Speaker, if the vote on the previous question on the motion to recommit does not carry, would it then be in order for a Member to seek recognition for the purpose of offering an amendment to the motion to recommit?

The SPEAKER. The answer to that is, it would be under the precedents and practices of the House.

Mr. FOLEY. Mr. Speaker, I thank the Chair.

The SPEAKER. 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, 148, nays 126, answered "present" 2, not voting 156, as follows:

[Roll No. 454]

YEAS—148

- | | | |
|-----------------|---------------|----------------|
| Abernethy | Forsythe | Pettis |
| Anderson, Ill. | Frelinghuysen | Pickle |
| Arends | Fuqua | Pirnie |
| Ashbrook | Gallfanakis | Poage |
| Baring | Goodling | Poff |
| Beall, Md. | Griffin | Quile |
| Belcher | Gross | Quillen |
| Bell, Calif. | Hagan | Rarick |
| Bennett | Hall | Roberts |
| Betts | Hammer- | Robison |
| Bevill | schmidt | Rogers, Fla. |
| Bow | Hansen, Idaho | Roth |
| Bray | Harsha | Ruth |
| Brinkley | Hastings | Sandman |
| Brooks | Hogan | Satterfield |
| Brotzman | Horton | Schadeberg |
| Brown, Mich. | Hosmer | Schmitz |
| Brown, Ohio | Hunt | Schneebell |
| Broyhill, Va. | Hutchinson | Schwengel |
| Burke, Fla. | Ichord | Shriver |
| Burleson, Tex. | Jarman | Slkes |
| Bush | Jones, Ala. | Skubitz |
| Byrnes, Wis. | Jones, N.C. | Slack |
| Cabell | Kee | Smith, N.Y. |
| Camp | Keith | Springer |
| Cederberg | King | Stafford |
| Chamberlain | Kyl | Stanton |
| Chappell | Landgrebe | Steed |
| Ciancy | Latta | Steele |
| Collins, Tex. | Lloyd | Steiger, Wis. |
| Colmer | Long, Md. | Stevens |
| Conable | Lukens | Stubblefield |
| Coughlin | McCloskey | Taft |
| Crane | McClure | Taylor |
| Daniel, Va. | McMillan | Teague, Calif. |
| Davis, Wis. | MacGregor | Teague, Tex. |
| Dellenback | Mahon | Thomson, Wis. |
| Dennis | Mailliard | Vander Jagt |
| Derwinski | Mann | Wampler |
| Devine | Marsh | Ware |
| Dickinson | Mayne | Watson |
| Downing | Miller, Ohio | White |
| Duncan | Mills | Whitehurst |
| Eshleman | Mizell | Whitten |
| Findley | Mollohan | Wildnall |
| Fisher | Montgomery | Wiggins |
| Flowers | Neisen | Williams |
| Flynt | Passman | Wylle |
| Ford, Gerald R. | Patman | Zwach |
| Foreman | Pelly | |

NAYS—126

- | | | |
|---------------|-----------------|----------------|
| Adams | Gonzalez | Obey |
| Addabbo | Green, Oreg. | O'Hara |
| Albert | Green, Pa. | Olsen |
| Anderson, | Gude | Patten |
| Tenn. | Halpern | Perkins |
| Annunzio | Hamilton | Philbin |
| Ashley | Hanley | Pike |
| Barrett | Hanna | Podell |
| Biaggi | Harrington | Freyer, N.C. |
| Bieber | Hathaway | Price, Ill. |
| Bingham | Hawkins | Pryor, Ark. |
| Blanton | Hays | Pucinski |
| Boggs | Hechler, W. Va. | Rees |
| Boland | Heckler, Mass. | Reid, N.Y. |
| Bolling | Helstoski | Reuss |
| Brademas | Hicks | Rodino |
| Brasco | Jacobs | Roe |
| Burke, Mass. | Johnson, Calif. | Rogers, Colo. |
| Byrne, Pa. | Kastenmeier | Rooney, Pa. |
| Carney | Kazen | Roybal |
| Celler | Kluczynski | Ryan |
| Clark | Koch | St Germain |
| Clay | Kyros | Saylor |
| Cleveland | Leggett | Scheuer |
| Cohelan | McCarthy | Sisk |
| Conte | McDade | Smith, Iowa |
| Conyers | McFall | Stokes |
| Corman | Macdonald, | Stratton |
| Culver | Mass. | Symington |
| Daniels, N.J. | Madden | Thompson, N.J. |
| Dent | Matsunaga | Tieman |
| Donohue | Meeds | Tunney |
| Dorn | Melcher | Udall |
| Dulski | Mikva | Van Deerlin |
| Eilberg | Minish | Vank |
| Feighan | Mink | Vigorito |
| Flood | Monagan | Waldie |
| Foley | Morgan | Wilson, |
| Fraser | Morse | Charles H. |
| Fulton, Pa. | Murphy, N.Y. | Wolf |
| Gallagher | Natcher | Wyman |
| Garmatz | Nedzi | Yates |
| Gaydos | Nix | Zablock! |

ANSWERED "PRESENT"—2

- | | | |
|-----------------|----------------|----------------|
| Alexander | Wright | |
| | | NOT VOTING—156 |
| Abbitt | Farbstein | Morton |
| Adair | Fascell | Mosher |
| Anderson, | Fish | Moss |
| Calif. | Ford, | Murphy, Ill. |
| Andrews, Ala. | William D. | Myers |
| Andrews, | Fountain | Nichols |
| N. Dak. | Frey | O'Konski |
| Aspinall | Friedel | O'Neal, Ga. |
| Ayres | Fulton, Tenn. | O'Neill, Mass. |
| Berry | Gettys | Ottinger |
| Blackburn | Gialmo | Pepper |
| Blatnik | Gibbons | Pollock |
| Brock | Gilbert | Powell |
| Broomfield | Goldwater | Price, Tex. |
| Brown, Calif. | Gray | Purcell |
| Broyhill, N.C. | Griffiths | Rallsback |
| Buchanan | Grover | Randall |
| Burlison, Mo. | Gubser | Reid, Ill. |
| Burton, Calif. | Haley | Reifel |
| Burton, Utah | Hansen, Wash. | Rhodes |
| Button | Harvey | Riegler |
| Caffery | Hébert | Rooney, N.Y. |
| Carey | Henderson | Rosenthal |
| Carter | Hollifield | Rostenkowski |
| Casey | Howard | Roudebush |
| Chisholm | Hull | Rousset |
| Clausen, | Hungate | Ruppe |
| Don H. | Johnson, Pa. | Scherle |
| Clawson, Del | Jonas | Scott |
| Collier | Jones, Tenn. | Sebelius |
| Collins, Ill. | Karth | Shipley |
| Corbett | Kleppe | Smith, Calif. |
| Cowger | Kuykendall | Snyder |
| Cramer | Landrum | Staggers |
| Cunningham | Langen | Steiger, Ariz. |
| Daddario | Lennon | Stuckey |
| Davis, Ga. | Long, La. | Sullivan |
| de la Garza | Lowenstein | Talcott |
| Delaney | Lujan | Thompson, Ga. |
| Denney | McClory | Ullman |
| Diggs | McCulloch | Waggoner |
| Dingell | McDonald, | Watts |
| Dowdy | Mich. | Weicker |
| Dwyer | McEwen | Whalen |
| Eckhardt | McKneally | Whalley |
| Edmondson | Martin | Wilson, Bob |
| Edwards, Ala. | Mathias | Winn |
| Edwards, Calif. | May | Wold |
| Edwards, La. | Meskill | Wyatt |
| Erlenborn | Michel | Wyder |
| Esch | Miller, Calif. | Yatron |
| Evans, Colo. | Minshall | Young |
| Evins, Tenn. | Mize | Zion |
| Fallon | Moorhead | |

So the previous question was ordered. The Clerk announced the following pairs:

- On this vote:
- Mr. Alexander for, with Mr. William D. Ford against.
 - Mr. Wright for, with Mr. Diggs against.
 - Mr. Abbitt for, with Mr. O'Neill of Massachusetts against.
 - Mr. Andrews of Alabama for, with Mr. Rostenkowski against.
 - Mr. Caffery for, with Mrs. Sullivan against.
 - Mr. Edwards of Louisiana for, with Mr. Burton of California against.
 - Mr. Fulton of Tennessee for, with Mr. Karth against.
 - Mr. Gettys for, with Mr. Moss against.
 - Mr. Haley for, with Mr. Rooney of New York against.
 - Mr. Hébert for, with Mr. Carey against.
 - Mr. Jones of Tennessee for, with Mrs. Chisholm against.
 - Mr. Nichols for, with Mr. Collins of Illinois against.
 - Mr. Henderson for, with Mr. Delaney against.
 - Mr. Lennon for, with Mr. Dingell against.
 - Mr. Waggoner for, with Mr. Edwards of California against.
 - Mr. Long of Louisiana for, with Mr. Fallon against.
 - Mr. Stuckey for, with Mr. Farbstein against.
 - Mr. Watts for, with Mr. Fascell against.
 - Mr. Evins of Tennessee for, with Mr. Friedel against.
 - Mr. Dowdy for, with Mr. Gialmo against.
 - Mr. de la Garza for, with Mr. Daddario against.

Mr. Davis of Georgia for, with Mr. Gilbert against.

Mr. Burlison of Missouri for, with Mr. Gray against.

Mr. Landrum for, with Mrs. Griffiths against.

Mr. O'Neal of Georgia for, with Mrs. Hansen of Washington against.

Mr. Frey for, with Mr. Holfield against.

Mr. Goldwater for, with Mr. Howard against.

Mr. Don H. Clausen for, with Mr. Hungate against.

Mr. Corbett for, with Mr. Lowenstein against.

Mr. Fountain for, with Mr. Miller of California against.

Mr. Grover for, with Mr. Moorhead against.

Mr. Talcott for, with Mr. Murphy of Illinois against.

Mr. Rhodes for, with Mr. Randall against.

Mr. Gubser for, with Mr. Rosenthal against.

Mr. Steiger of Arizona for, with Mr. Shipley against.

Mr. Collier for, with Mr. Mosher against.

Mr. Jonas for, with Mrs. Dwyer against.

Mr. Del Clawson for, with Mr. Carter against.

Mr. Denney for, with Mr. Andrews of North Dakota against.

Mr. Snyder for, with Mr. Riegle against.

Mr. Smith of California for, with Mr. Blatnik against.

Mr. Scherle for, with Mr. Aspinall against.

Mr. Bob Wilson for, with Mr. Anderson of California against.

Mr. Edwards of Alabama for, with Mr. Brown of California against.

Mr. Buchanan for, with Mr. Edmondson against.

Mr. Blackburn for, with Mr. Evans of Colorado against.

Mr. McDonald of Michigan for, with Mr. Staggers against.

Mr. Thompson of Georgia for, with Mr. Pepper against.

Mr. Martin for, with Mr. Yatron against.

Mr. Price of Texas for, with Mr. Ullman against.

Mr. Broyhill of North Carolina for, with Mr. Ottinger against.

Mrs. Reid of Illinois for, with Mr. Eckhardt against.

Mr. McClory for, with Mr. Young against.

Mr. Myers for, with Mr. Whalen against.

Mr. Zion for, with Mr. Fish against.

Mr. Broomfield for, with Mr. Wydler against.

Mr. Harvey for, with Mr. Railsback against.

Mr. Kuykendall for, with Mr. Cowger against.

Until further notice:

Mr. Hull with Mr. Johnson of Pennsylvania.

Mr. Casey with Mr. Lujan.

Mr. Purcell with Mr. Scott.

Mr. Berry with Mr. Adair.

Mr. Langen with Mr. Ayres.

Mr. O'Konski with Mr. Mize.

Mr. Burton of Utah with Mr. Brock.

Mr. Morton with Mr. Reifel.

Mr. Kleppe with Mr. Butten.

Mr. Minshall with Mr. Michel.

Mr. Weicker with Mr. Winn.

Mr. Esch with Mr. Cunningham.

Mr. McCulloch with Mrs. May.

Mr. Ruppe with Mr. Sebelius.

Mr. Whalley with Mr. Erlenborn.

Mr. Wyatt with Mr. Cramer.

Mr. Rousset with Mr. McEwen.

Mr. Mathias with Mr. Pollock.

Mr. Roudebush with Mr. Meskill.

Mr. Gibbons with Mr. McKneally.

Messrs. SATTERFIELD, SKUBITZ, and GALIFIANAKIS changed their votes from "nay" to "yea."

Mr. WYMAN changed his vote from "yea" to "nay."

Mr. WRIGHT. Mr. Speaker, I have a live pair with the gentleman from Michigan (Mr. DRIGGS). If he had been present, he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

Mr. ALEXANDER. Mr. Speaker, I have a live pair with the gentleman from Michigan (Mr. WILLIAM D. FORD). If he had been present, he would have voted "nay." I voted "yea." I withdraw my vote and vote "present."

The result of the vote was announced as above recorded.

The doors were opened.

The SPEAKER. The question is on the motion to recommit.

PARLIAMENTARY INQUIRY

Mr. FOLEY. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. FOLEY. At this stage of the proceedings I anticipate the Chair is about to put the question for a vote on a straight motion to recommit the conference report; is that correct?

The SPEAKER. That is the next order of business.

Mr. FOLEY. I thank the Chair.

The SPEAKER. The question is on the motion to recommit.

The motion to recommit was rejected.

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. POAGE. Mr. Speaker, I ask unanimous consent that all Members may have 3 calendar days in which to extend their remarks on the conference report.

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

There was no objection.

AMENDING EXPORT-IMPORT BANK ACT OF 1945, AS AMENDED

Mr. PATMAN. Mr. Speaker, I move to suspend the rules and pass the bill (S. 4268) to amend the Export-Import Bank Act of 1945, as amended, to allow for greater expansion of the export trade of the United States, to exclude Bank receipts and disbursements from the budget of the U.S. Government, and for other purposes.

The Clerk read as follows:

S. 4268

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 2(a) of the Export-Import Bank Act of 1945, as amended (12 U.S.C. 635 (a)), is amended—

(1) by inserting "(1)" immediately after "Sec. 2(a)"; and

(2) by adding at the end thereof the following new paragraph:

"(2) The receipts and disbursements of the Bank in the discharge of its functions shall not be included in the totals of the budget of the United States Government and shall be exempt from any annual expenditure and net lending (budget outlays) limitations imposed on the budget of the United States Government. In accordance with the provi-

sions of the Government Corporation Control Act, the President shall transmit annually to the Congress a budget for program activities and for administrative expenses of the Bank."

Sec. 2. The President shall—

(1) not later than January 31, 1971, report to the Congress the amount by which the annual expenditure and net lending limitation imposed on the budget of the United States Government by title V of the Second Supplemental Appropriations Act, 1970, will be reduced as a result of the amendment made by section 1; and

(2) not later than September 30, 1971, report to the Congress with respect to the effect of the amendment made by section 1 on the operations of the Export-Import Bank of the United States.

Sec. 3. The amendment made by section 1 becomes effective on the date upon which the President makes the report to the Congress referred to in paragraph (1) of section 2.

The SPEAKER. Is a second demanded? Mr. WIDNALL. Mr. Speaker, I demand a second.

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GROSS. Is the gentleman from New Jersey opposed to the bill?

The SPEAKER. The Chair was about to ask that question. Is the gentleman from New Jersey opposed to the bill?

Mr. WIDNALL. Mr. Speaker, I am not opposed to the bill.

Mr. GROSS. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman from Iowa opposed to the bill?

Mr. GROSS. Yes; I am, Mr. Speaker.

The SPEAKER. The gentleman from Iowa qualifies. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from Texas is recognized for 20 minutes.

Mr. PATMAN. Mr. Speaker, the bill before us, S. 4268, would amend the Export-Import Bank Act of 1945 to allow for greater expansion of the export trade of the United States.

Mr. Speaker, this bill passed the Senate without a dissenting vote on December 19 of this year. Your House Committee on Banking and Currency did not have an opportunity to hold hearings on this matter, but a poll of the members indicated no objection to the bill from your Committee on Banking and Currency by any member on either side.

The Senate Banking Committee hearings on this legislation contain letters of support from the Bureau of the Budget, the Department of Commerce, the Council of Economic Advisers, the Department of State, and the Department of the Treasury. The proposal is opposed by the Federal Reserve Board and the General Accounting Office.

Let me explain first what the legislation would not do. It would not remove the Export-Import Bank from the provisions of the Government Corporation Control Act. The annual budget for the Export-Import Bank would still be presented to the Appropriations Committee and acted upon by the Congress. The Banking and Currency Committee of both Houses would continue to exercise

complete control over the authorization ceilings for the Bank. There would be no change either insofar as the authorization or appropriation procedure is concerned.

In essence, what the bill would do would be to exclude the receipts and disbursements of the Export-Import Bank from the U.S. Government budget and exempt the Bank's operations from any net expenditure limitation imposed by the budget. The basic reasons sought for the legislation is to allow the Export-Import Bank to meet its congressionally imposed objective of increasing the export sales of U.S.-produced goods and services.

If the Export-Import Bank has to continue to operate as it now does, there is no question that the potential of our exports will be significantly and adversely affected.

As it now exists, the Export-Import Bank loans are carried as expenditures in the budget when, in fact, they are nothing more than investments in U.S. goods and services which have been sold abroad. The Bank does not lose money as the Budget would indicate. In fact, the Export-Import Bank is one of the few agencies of Government we have that actually returns a net profit every year. Since its existence, the Export-Import Bank has returned three-quarters of a billion dollars in profits to the Treasury.

Mr. Speaker, there are a number of other reasons justifying the enactment of this legislation which other members of the committee will cover.

This bill should not be considered as a precedent for other agencies or for the continuation of this type of operation if Congress desires to change it.

Many people are suffering from tight money, money that is too tight, as is this Bank. This will be helpful to the people in that situation.

I was told that this legislation was sought and desired by the administration, by President Nixon's administration, in his economy recovery program and to solve our balance of payment problem. I made the statement if this is desired in the recovery program and the situation is so desperate and the harm would be so little, if any, that I would favor it and I would support it.

For that reason I am supporting this bill. I believe it will be of great benefit to us in our export market and our balance of payments and certainly will provide lots of jobs—lots of jobs—lots of opportunities and more purchasing power by the people who work. Therefore I ask that it be adopted.

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

Mr. Speaker, first of all, Members of the House should understand that this bill S. 4268, was never considered for 1 minute by the House Banking and Currency Committee. No hearings were held by the House committee and therefore there is no report.

Members of the House are asked to rely solely on a report printed in the CONGRESSIONAL RECORD by one Member of the Senate and it is interesting to note that this Member of the other body, for reasons best known to himself, failed to include in the RECORD strong statements

that were made in opposition to this legislation.

The purpose of this bill is to exclude the receipts and disbursements of the Export-Import Bank from the total of the budget of the U.S. Government and exempt that Bank from any annual expenditure and net lending limitations imposed on the budget.

Mr. Speaker, in 1966 President Johnson appointed the members of the Commission on Budget Concepts. Chairman of that Commission was the present Secretary of the Treasury, David Kennedy, and among the members was the Comptroller General of the United States, Elmer Staats, and the chairmen of the House and Senate Appropriations Committees, including Mr. MAHON and Mr. Bow. The Commission's staff director was Robert Mayo, who recently served as director of the Bureau of the Budget.

The purpose of the Commission was to recommend to the President guidelines with respect to the budget and with particular reference to programs which should be included or excluded from the budget totals.

The Commission reported in the fall of 1967 and it was a unanimous report. According to Comptroller General Staats, the report recommended that all loan programs operated by entities in which the capital stock is owned by the Government or which have recourse to Federal funds should be included in the budget on a net lending basis. That is to say, the budget totals include the difference between loan outlays or disbursements on one side, and loan reimbursements or repayments on the other side.

To the best of my knowledge—

Says Mr. Staats, who for several years was deputy Director of the Budget—

the enactment of this bill, S. 4268, would constitute the first departure from the budget policy adopted by President Johnson and continued by President Nixon.

And Mr. Mayo, former Director of the Budget, in a staff paper prepared for the Budget Commission, said this:

Advocates of including loans in the calculation of budget surplus or deficit point out that when the government makes loans, it is not just acting as a bank or financial intermediary. If financial intermediation were all that were required, the private sector could well take care of balancing the interests of borrowers and lenders in a country with such highly developed markets as ours. Clearly something else is involved, specifically a recognition that without federal intervention, important public objectives would not be accomplished through the ordinary working of the capital markets . . . if loans were excluded from the budget, pressures might well lead to an even worse distortion . . . the misnaming of grants, transfer payments and subsidies to get them out of the budget totals. . . .

The Comptroller General in his opposition further states that this bill would establish a precedent for removing lending operations from the budget totals and from further expenditure limitations that may be imposed by Congress.

The obvious alternative to S. 4268—

Said Mr. Staats—

would be submission by the executive branch of an amendment to the Expenditure Control

Act to increase the lending operations of the Export-Import Bank.

Mr. Speaker, the present Chairman of the Federal Reserve Board, Mr. Arthur F. Burns, opposing this legislation, wrote a letter to the Senate Finance Committee, where the bill was spawned. In the letter he said:

SEPTEMBER 16, 1970.

HON. JOHN SPARKMAN,
Chairman, Committee on Banking and Currency, U.S. Senate, Washington, D.C.

DEAR MR. CHAIRMAN: I am writing to present the views of the Board of Governors on S. 4268, a bill that would exclude the receipts and disbursements of the Export-Import Bank from the totals of the budget of the United States Government and exempt them from any annual expenditure and net lending limitations imposed on the budget. The Board recommends against enactment of this bill.

Enactment of S. 4268 would constitute a breach in the new concept of the unified budget. The objective of revising the budget, as you know, was to present budget totals that would give an accurate and comprehensive account of the receipts and disbursements of the Federal Government. Whether a government agency borrows in the market directly or goes through the Treasury Department does not alter the fact that the Federal Government is acquiring command over the real resources represented by the borrowed funds. In either case, the outlays of the agency should be subjected to thorough scrutiny and included in the total of Federal disbursements.

For purposes of economic analysis it is important to know the overall economic impact of the financial operations of the Federal Government. When segments of the Government's fiscal operations are not included in the budget, the budget totals may mislead all but the most careful analysts.

Budgeting is essentially a matter of ordering priorities. The fact that we expect repayment of Export-Import Bank loans is not a valid reason for exempting the net outlays from the budget totals. To order our priorities properly, we must determine whether it is desirable to permit a net increase in government claims on real resources to take the form of an increase in net credits extended by the Export-Import Bank or a rise in the outlays of some other government agency. We cannot "solve" the problem of ordering priorities by excluding certain types of outlays from the budget totals. If we do this, we essentially treat these outlays as though they had priority above everything within the budget.

The Board is fully aware of the desirability of expanding U.S. exports to help improve our balance of payments. However, not all Export-Import Bank loans result in additional export sales. This is especially true when the Bank finances the sale of U.S. goods for which there is little or no competition in world markets. Frequently the Bank's loans are substitutes for other financing in the United States or from abroad. Finally, to the extent that the Bank's credit is used to substitute for offshore financing of our exports, our balance of payments will suffer.

Accordingly, the Board recommends against enactment of the bill.

Sincerely yours,

ARTHUR F. BURNS.

Mr. Speaker, this legislation, which has never been considered by the House or any committee thereof, and which is now the object of ramrod procedure, ought to be defeated. If Congress is to rupture the expenditures control act and set a special privilege precedent it ought to do so only after careful considera-

tion as to the consequences—not as a dying gasp of this lameduck session.

If President Nixon wants to change present budget procedures let him come to Congress promptly with the convening of the new session. Let us not here and now put a rubberstamp of approval on a Senate bill which permits any institution which is the beneficiary of Federal funds to walk through the back door to get that financing.

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

Mr. GROSS. Yes, I am glad to yield to the gentleman from Texas.

Mr. MAHON. Mr. Speaker, I wish to express grave concern with regard to the pending legislation.

The Export-Import Bank is doing a magnificent job. Henry Kearns, the president of the Export-Import Bank, is a man of tremendous ability and drive and I applaud him for his good work.

I am perfectly willing to introduce legislation to increase the overall Government expenditure ceiling which we fixed earlier this year, if need be, in order to allow for greater program activity by the Export-Import Bank. I am all for that.

In recent years, we have been trying to report to the Congress, and to the American people on a comprehensive basis as to what the Congress is doing to all phases of the budget. We have set up a budget scorekeeping system. We inform the Congress and the country how much we are below the President's budget on appropriations and how much we are above the President's budget in outlays for other legislation in order to explain to the American people pertinent facts pertaining to the status of Government finances. We base those reports on the overall budget; we report against the overall budget totals.

Now, what does the pending bill do? This bill seeks to exclude Export-Import Bank receipts and disbursements from the budget. The bill reads as follows:

(2) The receipts and disbursements of the Bank in the discharge of its functions shall not be included in the totals of the budget of the United States Government and shall be exempt from any annual expenditure and net lending (budget outlays) limitations imposed on the budget of the United States Government.

This is my objection to the bill. If we are going to exclude this agency, why not do it for other programs such as the one dealing with the environment? Why not do it for education? Why not do it for health? These are important programs. Where do we draw the line? What about other lending agencies? There is some uniqueness in all lending agencies. This troubles me.

It is true that, on paper, the Government and the administration would look better from an overall budget standpoint if we should take this out from under the budget. For example, this year, I believe about \$195 million in net outlays would be immediately removed from the 1971 budget and the overall spending ceiling if this proposed legislation were in effect.

In the next paragraph of the bill the following language appears:

Sec. 2. The President shall—

(1) not later than January 31, 1971, report to the Congress the amount by which the annual expenditure and net lending limitation imposed on the budget of the United States Government by title V of the Second Supplemental Appropriations Act, 1970, will be reduced as a result of the amendment made by section 1.

This would reduce the budget totals and reduce the expenditure ceiling. But it would not decrease expenditures in actuality.

This proposal is not quite forthright with the Congress and the people. We ought to tell ourselves and the people what the facts really are. I agree that anyone who wishes to know the facts can read the fine print and study the operations of the Export-Import Bank in order to discover these facts. But I regret to see us breach the budget and breach the expenditure ceiling for this good cause when all we have to do is increase the expenditure ceiling if it is needed, and I would be willing to initiate the action to do this.

I know the administration does not want to request an increase in the expenditure ceiling. The administration is complaining that we are spending too much money, and I think in some areas we are.

So this is the position in which we find ourselves. I believe we should increase the expenditure ceiling and not try to exclude agencies from the budget.

I thank the gentleman from Iowa for yielding to me.

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

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

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

Mr. DERWINSKI. I thank the gentleman for yielding.

I wish to comment that the gentleman from Iowa is performing, I believe, a very proper service in leading the opposition to this very hasty and, I think, ill-timed measure. I think he was properly sustained by the chairman of the Appropriations Committee.

May I add a strong, purely partisan note. I take a back seat to no one in my strong support of the administration. But I have never been convinced that any administration is infallible. I think this is a poorly timed move, and I think we ought to sustain the position of the gentlemen from Iowa and the gentleman from Texas (Mr. MAHON) and handle this subject properly in the next session of the Congress.

Mr. GROSS. I thank the gentleman from Illinois.

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

Mr. GROSS. I yield to the gentleman from Texas.

Mr. MAHON. I regret very much to oppose the chairman (Mr. PATMAN), I would hope that early next year some sort of legislation could be introduced to adjust the expenditure ceiling to take care of the Export-Import Bank. I would be the first to seek to enable Mr. Kearns to do the best possible job. He is doing an outstanding job.

The Export-Import Bank is of incalculable value to American business and labor and agriculture and I want to see the work of this great agency continued with maximum effectiveness.

Mr. GERALD R. FORD. Mr. Speaker, will the gentleman from Texas yield for a question?

Mr. MAHON. Mr. Speaker, I do not have the floor.

Mr. GROSS. Mr. Speaker, is the gentleman through?

Mr. MAHON. Yes; thank you.

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

Mr. GROSS. Mr. Speaker, I yield 3 minutes to the gentleman from Louisiana (Mr. PASSMAN).

Mr. PASSMAN. Mr. Speaker, I thank the distinguished gentleman from Iowa for yielding to me.

I also thank the distinguished chairman of the Banking and Currency Committee for being willing to yield me 3 minutes. It would not have been quite fair to the chairman for me to accept his 3 minutes when I am opposed to the legislation, and we do believe in fair play here.

Mr. Speaker, it has been my privilege to be associated with the Export-Import Bank for 16 years as chairman of the Foreign Operations Subcommittee of the Committee on Appropriations. I have dealt with several presidents. The current president is an excellent administrator. He is an outstanding banker. I enjoy doing business with him. But during our hearings this year there was no mention about this proposition being under consideration by the administration.

I would like to ask the distinguished chairman this question: Did the chairman hold any hearings on this bill?

Mr. PATMAN. No, there were no hearings. But that statement is not complete as it is. The committee held no hearings. The committees were told and every Member on both sides was told.

Mr. PASSMAN. But the chairman did not hold any hearings?

Mr. PATMAN. No.

Mr. PASSMAN. We held no hearings on this specific proposal. We handle the money requests. I do not know of any time when they ever had a deficit during their operations. Does the gentleman know of any such time?

Mr. PATMAN. We held hearings on this subject for 3 years.

Mr. PASSMAN. Mr. Speaker, I ask the distinguished chairman this question: Does he remember any instance in the history of the Export-Import Bank when they did not have all the funds they needed? Of course not. I will say I have handled the foreign aid bill for 16 years, and there has been no time in all that period when the Export-Import Bank said they needed a greater limitation when they did not get it.

I am making a statement of fact. Even when they ask for an increase in the representation allowance, this committee provides it. We never have deprived them of anything.

I think our committee, the Committee on Appropriations, must hold hearings, and they must have an opportunity to explore the proposition. I think the gen-

tleman from Texas should have an opportunity to hold hearings. I cannot understand coming in on the 30th day of December, just a few days before we are going to adjourn this Congress sine die, and proposing this legislation. I do not think it is a fair break to the American taxpayers. We adopted the new budget concept a few years ago so that all facts relating to U.S. Government operations would be revealed to the public, and we are now trying to exclude certain figures from the budget. I think it is wrong.

Mr. Speaker, I oppose the legislation.

Mr. HANNA. Mr. Speaker, will the gentleman from Iowa yield to the gentleman from Louisiana an additional minute in order that I may ask a question?

Mr. GROSS. The gentleman should ask the gentleman from Texas (Mr. PATMAN) to yield him a minute if he wants it.

The SPEAKER pro tempore (Mr. MILLS). Does the gentleman from Iowa desire to yield more time?

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

MINE BLAST IN KENTUCKY KILLS 38 MINERS

Mr. DENT. Mr. Speaker, I just received word that in Hyden, Leslie County, Ky., a mine blast has occurred on this, the anniversary of the mine safety bill, in which 38 miners have been killed.

Mr. PATMAN. Mr. Speaker, I yield 6 minutes to the gentleman from Ohio (Mr. ASHLEY).

Mr. ASHLEY. Mr. Speaker, the purpose of this bill is to facilitate the financing of U.S. exports through the Export-Import Bank. In recent years the United States has lost ground in the very keen competition in expanding world markets and our balance of payments position has suffered accordingly.

A part of the problem which this bill seeks to cure results from the tight money market which has caused an enormous increase in loan applications to the Export-Import Bank.

Because the Bank's disbursements are treated as budget outlays under the unified budget calculations, the Bank has been forced to raise capital through the sales of certificates of beneficial interest—which is very costly—since the sales are considered budget receipts and therefore offsets against disbursements.

A less expensive means of financing is available to the Bank, Mr. Speaker, but only if the legislation before us is adopted.

Even more basic and more pressing is the problem, Mr. Speaker, that under present structures the Eximbank simply is not able to plan ahead. This is a bank. This is not education program. It is not environment. It is not the other things mentioned in the recent colloquy. This is a bank.

The reason is that the bank's disbursements follow its loan authorizations by from 2½ to 5 years.

Mr. Speaker, I believe this is the point that the gentleman from Louisiana (Mr. PASSMAN) did not address himself to. If the bank does not have the assurance that it will have available in future budget years the resources needed for disbursements it must cut back on current authorizations.

This is precisely the situation in which the bank finds itself today, right this instant. The authorizations for fiscal year 1971 lending were set originally by OMB and the Congress at \$2.6 billion, but under the revised spending ceiling imposed by the Congress this would be cut back to \$1.8 billion, a reduction of some \$700 million, representing a loss of more than \$1.3 billion in U.S. exports.

Thus at the very time the bank's services are needed the most to expand the financing of U.S. exports, it is caught in this bind of having to curtail its activities because of severe budget restraints.

As was previously stated, the Bank's problem is that the Federal budget policy is applied to its current year operations while its requirements are based on a trade policy agreed upon by the Congress and by the budget as much as 5 years earlier.

I say that to cure this situation the bill before us, as explained, would exclude the receipts and disbursements of the bank from the unified budget, and exempt the bank's operations from that annual limitation on expenditures and net lending imposed on the budget. It would, let me emphasize, continue the annual review of the bank's operations by both the OMB and by the Appropriations Committee, the subcommittee headed by the gentleman from Louisiana (Mr. PASSMAN).

There is ample justification, Mr. Speaker, for taking this action, because, unlike other Federal lending agencies, the Eximbank only makes commercial loans on hard terms. Unlike other Federal lending agencies, the bank operates at a profit, having repaid more than \$700 million to the Treasury in dividends during the course of its existence.

Third, the bank, again unlike other U.S. lending agencies, receives no appropriated funds whatsoever.

Mr. Speaker, the bill before us does have the strong support of the administration, and was adopted by a voice vote in the other body. It is absolutely essential to the export sector of our economy both today and in the immediate years ahead, and I urge its passage by the House.

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

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

Mr. STANTON. I thank the gentleman from Ohio.

Mr. Speaker, all I want to do is to concur with the gentleman in the well and to reiterate and perhaps try to clarify several of the points he made.

First of all, this bill does have the strong support of the administration at this time due to the fact that the administration wants the American enterprise to be able to compete with the rest of the world. Will not the gentleman agree that countries like England and others have this arrangement, and this would allow us a flexibility and allow us to compete competitively in financing? Is that not all this bill asks?

Mr. ASHLEY. Absolutely. What this bill really means is that if we do not pass the legislation now the Bank's disbursements will be on the basis of authoriza-

tion commitments entered into 2½, 3, 4, or 5 years ago, and there will be no funds for authorization available for current export activity. This is the point.

If we want to make sure that the U.S. export position declines the way to do that is to vote down this legislation.

Mr. STANTON. That is right. Further, will not the gentleman agree, so far as this Bank is concerned, it is not involved in grants? These are hard, solid loans to promote American industry and export, and bring us back two-thirds of all the dollars we get.

Mr. ASHLEY. Absolutely. They are hard loans, with nonsubsidized interest rates, and no appropriated funds. The Bank has repaid \$706 million.

What we are about to do, apparently, is to shackle the operations of the only solid money maker in terms of lending agencies available to the United States.

Mr. STANTON. The gentleman is absolutely correct.

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

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

Mr. BROWN of Michigan. I thank the gentleman for yielding. Would not the gentleman agree that the gentleman previously in the well, the gentleman from Texas (Mr. MAHON), the respected chairman of the Appropriations Committee possibly generalized a little too much in classifying or categorizing the Export-Import Bank with other types of financial institutions?

Mr. ASHLEY. Yes, I certainly agree with the gentleman from Michigan, because there is no institution in the Federal sector that really compares to the Export-Import Bank. I think the gentleman from Texas did generalize too much. He is comparing oranges and bananas.

The SPEAKER. The time of the gentleman from Ohio has expired.

Mr. PATMAN. Mr. Speaker, I wonder if the gentleman from Iowa would yield some of his time at this time?

Mr. GROSS. Mr. Speaker, under the rules of the House it is not required that the time be rotated in this fashion on a suspension of the rules.

Mr. PATMAN. Well, if it is not, I yield 4 minutes to the gentleman from New Jersey (Mr. WIDNALL).

The SPEAKER. The Chair will state that the gentleman from Iowa has 4 minutes remaining and the gentleman from Texas, has 8 minutes remaining.

Mr. WIDNALL. I thank the chairman very much.

Mr. Speaker, I regret very much that under the rules of the House the minority who serve on the Banking and Currency Committee which has jurisdiction over the operations of the Export-Import Bank have not had an opportunity to present the case for the administration.

This bill is an extremely important bill to every segment of the economy of the United States.

Mr. Speaker, the bill before use, S. 4268, will accomplish more for the export trade of the United States than anything else we have done during the current Congress. Enactment of the bill will offer a positive contribution to thousands of

U.S. exporters representing nearly every segment of the U.S. economy as well as every State of the Union.

During the various deliberations on this bill, both in the executive branch and here in the Congress, some concern has been expressed as to whether this bill, by removing Export-Import Bank's fiscal operations from budget calculations, would establish a precedent for the similar removal of other agencies from the budget. Certainly, it is the fact that Eximbank serves all segments of the economy that places it in a unique position relative to the myriad of other Government lending agencies which have a tendency to benefit only a narrow economic or geographic clientele.

Eximbank benefits labor. Each billion dollars worth of exports is calculated to create 87,000 jobs. During the current cutbacks in defense aerospace spending, markets abroad for commercial jet aircraft are particularly important to labor groups from coast to coast.

Eximbank benefits agriculture. It has supported exports of cotton, tobacco, corn, wheat, soybeans, barley, and livestock. Agricultural exports, which have equaled approximately \$6 billion in recent years, appear to be stagnating, however, and improvement in this trade most definitely will require increased availabilities of export financing. The bill before us actually will improve this situation, and farm communities throughout the country will gain by this improvement.

Eximbank benefits mining. It benefits forestry. It benefits manufacturing. And Eximbank benefits a host of service activities.

All proceeds of Eximbank's lending, insurance, and guarantee programs go to U.S. producers of goods and services. Eximbank participation in any transaction, therefore, enhances the likelihood that insurance on the shipment will be placed through U.S. brokers. U.S. rail, air, and trucking companies benefit by exports, and Eximbank participation similarly works to the benefit of the U.S. maritime industry. U.S. packagers, freight handlers, export agents, communications experts, and countless others find profits in sales supported by Eximbank activities.

Eximbank benefits both engineering firms and construction companies. The Bank finances projects from the feasibility study stage to the completion of a large-scale turnkey manufacturing complex.

Eximbank's activities supplement private sources of export financing. The Bank in many cases makes it possible for insurance companies, pension and other trusts, and investment as well as commercial banks to participate in export credits.

It is the pervasive contribution of Eximbank to all forms of American economic activity that makes its position among government lending agencies distinctly different. No useful purpose is achieved, therefore, by making Eximbank complete in the budget process with power, housing, or any other single-industry oriented government lending institution.

Indeed, Eximbank does not compete in practice with such other lenders. Its

competition is the publicly supported export credit institutions abroad—ECGD in the United Kingdom, COFACE in France, EDC in Canada, Hermes in Germany—each of whom has as its purpose the support of export sales which compete with U.S. exports in the international marketplace.

All in all, 29 export credit institutions representing 23 nations belong to the Berne Union, a forum of those who provide financing for their countries' exports. Competition in export financing is not confined to Berne Union members, however; the governments of such other countries as Taiwan, Yugoslavia, and, of course, the Eastern bloc countries also support exports on attractive terms.

The competition offered by foreign government supported export credit agencies is growing keener. ECGD in London has new parliamentary authority for direct lending. EDC in Ottawa has been restructured and improved during the past year by the Canadian Parliament. Practically all of the export credit institutions in the world report significant increases in the shipments they support.

Key to the question of exclusion of Eximbank from budget calculations because of the competition offered by foreign governments in financing exports is the noteworthy phenomenon that practically all other countries isolate or insulate their export financing schemes from their domestic economies. Practically each has a method of offering financing for exports at interest rates markedly below those of their domestic economy.

Thus while the Export-Import Bank does have a unique position among U.S. Government agencies in that it alone must counter competition from abroad, it today suffers from the unique disadvantage as compared with its counterparts from Japan westward to Portugal that it also must compete in the U.S. Government for its resources.

Truly, Eximbank's activities are strikingly dissimilar to other Government lending activities, and we need not fear that our actions today will establish a dangerous precedent for those other activities.

In fact, the fear we must face is that by not acting promptly on this legislation, we create the clear risk of placing a severe handicap on the U.S. economy as a whole.

Losses of exports for lack of competitive financing would affect adversely the health of the entire economy. Such losses of exports would further imperil the Nation's balance of international payments with an attendant shrinkage of confidence in the dollar. It therefore is not precedence that we must fear, it is progress and prosperity that we must assure.

In short, the proposal to exclude Eximbank's operations from Federal budget calculations is the effective, positive, and intelligent way to provide real benefits to the U.S. economy, to support the Nation's exporters, and to maintain a position of leadership in international commerce. S. 4268 merits prompt approval and I urge a favorable vote.

Mr. Speaker, this bill should not be taken as just the ordinary type of bill

or authorization or appropriation. It is not confined to one particular phase of the economy.

Mr. Speaker, the administration urgently wants this bill. The current authorization will run out by March 1 of this coming year. The authorizations and commitments for fiscal year 1972 will run out by the end of the seventh month of that fiscal year. This is something you cannot postpone. It has got to be done now. And the unified budget would triple the operation of the Export-Import Bank. This is the means by which we can meet the challenges of the time.

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

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

Mr. GERALD R. FORD. Mr. Speaker, it seems to me that if we are concerned about the problem of the balance of payments for this country—and we should be—and if we are concerned about the sale of American goods and services overseas—and we should be—in order to help the economy in 1971 and the years thereafter, we ought to vote for this proposal that is now before us. If you vote against it, if it does not become law, you are going to seriously jeopardize the balance of payments picture and you will seriously hamper the progress of the American economy toward greater prosperity in 1971.

I hope the legislation is approved. It means more American jobs and the export of U.S. goods and supplies.

Mr. WIDNALL. I thank the gentleman for his comments.

The SPEAKER. The time of the gentleman has expired.

Mr. PATMAN. Mr. Speaker, will the gentleman from Iowa use his 4 remaining minutes now, and I will use my 4 remaining minutes after he completes his presentation.

PARLIAMENTARY INQUIRY

Mr. GROSS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. GROSS. Mr. Speaker, am I correct in my impression that this a motion to suspend the rules?

The SPEAKER. The Chair will state that the gentleman's impression is correct.

Mr. GROSS. Then, the rules are suspended insofar as the conclusion of debate is concerned, Mr. Speaker.

The SPEAKER. The Chair would ask the gentleman from Iowa if the gentleman is going to use his remaining time.

Mr. GROSS. Yes, Mr. Speaker, I intend to use my time.

The SPEAKER. Then, the Chair will recognize the gentleman from Iowa. The gentleman from Iowa has 4 minutes remaining and under the custom the gentleman from Texas (Mr. PATMAN) should have the final time.

Mr. GROSS. Mr. Speaker, I yield myself 2 minutes.

Mr. Speaker, I am not the least impressed by the statement made by the minority leader, the gentleman from Michigan (Mr. FORD).

I wonder how many other federally financed programs the gentleman wants to pull out from under the Expenditures

Control Act. How many more departments, agencies, and institutions would he support the President on in withdrawing from the Expenditures Control Act? That is the issue here today. It is the taking the Export-Import Bank from budgetary control and the Expenditures Control Act.

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

Mr. GROSS. I yield to the gentleman from Louisiana.

Mr. PASSMAN. Mr. Speaker, it is my understanding this bill did not initially have the complete support of the administration. That support came later, after tremendous pressure by the president of the Export-Import Bank and other people interested in its operation.

Why should we have to come in here at the closing hours of this Congress and have this legislation presented to us to remove the Export-Import Bank from under the budget?

If this bill is so good, then why did we not consider it weeks and months ago?

Mr. Speaker, let me make one further statement to correct the impression that has been made, and that is it is not true that the Export-Import Bank is short of funds. They have not been short of funds one time since the existence of the Export-Import Bank. They can and they have come in and requested an increase when they needed it, and they can come in again and request an increase. At this time they have ample funds to do all of the things they plan to do.

They want to get out from under the eagle eye of the budget, and you cannot blame them. All other agencies would also like to get out from under the budget, and it is just that simple.

Why do we not vote down this legislation. If it is so urgent, then we can come back in January and have legislation presented where hearings can be conducted by the Committee on Banking and Currency. Then they could come before the committee which I have the honor to chair and let us have hearings. If there is any emergency situation, we can correct it.

The SPEAKER. The time of the gentleman from Iowa has expired.

Mr. PATMAN. Mr. Speaker, I yield 2 minutes to the gentleman from California (Mr. HANNA).

Mr. HANNA. Mr. Speaker, I think there are two things that we need to clear up right at the outset.

First, why this timing? Why the urgency?

The situation is simply this. The Bank is in a box between two different kinds of requirements. The Bank has to service projections of our trade and this it does through authorization. Having authorized loans which project downstream about an average of 2½ to 3 years or maybe as long as 5 years—when the payments come up on the authorization, then they have to make those payments that they have been authorized.

In the meantime, and keep this in your mind, we have always had about 4 percent of our gross national product going out into trade and it is doggone important that we continue to do it. Now we are moving ahead of that and with our growing GNP we have to expand our

trade. This means that the authorizations have to increase.

Now we are at a place in the budget where we have to get on line with this unified budget and putting the Export-Import Bank in that budget is like putting a perch on a pony stall because it has this requirement of both authorization and then the payment schedule as they become due. It is under the unified budget and it is going to take all of the money on the line to make its payments and it cannot authorize any new loans and this means that the growth of trade will stop.

Now just keep that in your mind that that is what it means.

If you want to find an example of why this is so, Mr. Gross, and why this is so, Mr. PASSMAN, to answer your question, which I wanted to do, look back at what happened when the Export-Import Bank realized for the first time, in 1969 it was.

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

Mr. PATMAN. Mr. Speaker, I yield the gentleman 1 additional minute.

Mr. HANNA. When the Export-Import Bank realized it was under this unified restriction, it had to cancel the whole series of authorizations in 1969 and that led out in a loss of sales in my district and in a lot of yours just as Mr. WIDNALL said.

So, gentlemen, this is important. Your banking committee would not be here 100 percent supporting this if they did not realize its importance.

So I urge you to go along with Mr. FORD and to go along with Mr. WIDNALL and Mr. PATMAN and support this legislation at this time.

Next year we will come in with a whole revision of the Export-Import Bank. But we cannot wait now because we are in this budget restriction and listen to this—before January we will have already lost the authorization for the growth of trade in 1972.

Mr. Speaker, I rise in support of S. 4268. Many reasons have been given for passing S. 4268, and thereby excluding the receipts, disbursements, and net outlays of the Export-Import Bank from the overall U.S. budget totals and congressional lending ceilings.

I would like to call the close attention of Members of this body to one reason for passage which I believe has not been fully developed as yet: that is, the incongruity of Congress setting one limit on the Bank's activity and the Office of Management and Budget over the succeeding years setting different limits and thus preventing the Bank from attaining the levels of business which the Congress, upon due consideration, deemed appropriate.

Let me explain.

Two distinct fiscal constraints control the level of Eximbank activities—a congressional limit on annual authorizations and an OMB limit on net budget outlay, that is, the difference between budgetary receipts and expenditures.

There is a clear arithmetical link between the Bank's direct loan authorizations and its net budget outlays; but, unfortunately, what would be a true cause and effect relationship becomes distorted by current budgetary practices:

First. Authorization levels are established in relation to demonstrated need. Annually, the Bank reviews pending loan applications, trade forecasts, and availabilities of private funds for export financing. It justifies to the Office of Management and Budget and to the Congress the direct loan authorization level it needs for the fiscal year beginning 18 months later.

Second. Net budget outlay ceilings, however, are not established singularly on the basis of the difference between disbursements on loans authorized in previous years and the anticipated receipts of repayment of principal and interest on previous loans; rather, they are established more often on the basis of how best can the administration during the current year minimize the Federal deficit or maximize the budget surplus.

Eximbank loan disbursements follow loan authorizations by as long as 5 years, and repayments of principal and interest naturally lag even further behind disbursements. It is, therefore, a distortion of the Bank's normal business to apply budget policy in the current year against trade policy previously agreed upon as long as 5 years earlier.

Exclusion of Eximbank from the budget, as is proposed by S. 4268, now pending before the House, would eliminate this distortion.

The major control on the Bank's activities then would be the direct loan authorization level agreed upon each year by the administration and the Congress. There would be no ensuing net budget outlay. Instead, the Bank would be expected to fund its disbursements on loans in an orderly manner and conduct its fiscal operations according to standard corporate financing and accounting practices.

The authorization/disbursement lag is difficult to predict in advance. It depends on the nature, or "product mix," of the items for which export financing is authorized. I understand that aircraft loans, for example, tend to disburse comparatively quickly—15 percent in the year of authorization, 45 percent in the year following authorization, and 30 percent in the second year following authorization. On the other hand, disbursements for nuclear power installations and other large project loans usually extend more than 5 years following authorization.

Thus, it is difficult, indeed it is virtually impossible, to predict with accuracy the Bank's disbursements years ahead of time.

Yet, even if it were possible to predict with complete accuracy the actual disbursements which will follow authorizations in each year, the historical record shows that such predictions are not the basis for the net budget outlay figure periodically allocated to the Bank. Instead, the basis is almost exclusively the desire of an administration to minimize the reported net budget outlays of the overall U.S. budget.

Under the present system, the gap between the net outlay actually resulting from previous authorizations and the net outlay figure allocated to the Bank by budget officials is spanned by the Bank's sale of certificates of beneficial interest (CBI). These so-called sales of as-

sets are accounted for as budgetary receipts although many persons, most notably the General Accounting Office, believe that such sales are really and truly a form of borrowing and, thus, should not be accounted for as budgetary receipts.

Discounting the legal entanglement of whether a CBI is an actual sale of assets, it is unquestionably a cumbersome, costly, and inefficient method of funding the Bank's operations.

The Bank clearly has the authority to fund its operations through borrowings from the public money market as well as from the Treasury.

With Eximbank excluded from the budget, no budget gap would need to be spanned and the Bank could fund its direct lending programs upon an as-needed schedule with sales of the types of debt obligations which are readily marketable at most favorable rates.

Mr. GROSS. Mr. Speaker, may I ask how much time remains on both sides?

The SPEAKER. The gentleman from Iowa has 2 minutes remaining and the gentleman from Texas has 1 minute remaining.

Mr. GROSS. Mr. Speaker, I want to respond to the several gentlemen who have spoken on the urgency of this legislation.

Where in the world has the House Committee on Banking and Currency been all these months. The committee did not hold a single hearing. They never gave the slightest consideration to this legislation. Yet they have the colossal gall to come here tonight and shout about the urgency of this legislation, which will set a precedent by rupturing orderly budget procedure.

Mr. Speaker, I yield the remainder of the time to the gentleman from Ohio (Mr. HAYS).

Mr. HAYS. Mr. Speaker, I have tried to listen impartially to this, but you know if this thing is as urgent as the proponents say, you know I am a little bit curious about when they found out about it. I wonder if it had anything to do with the fact that the budget is so horribly out of balance and whether this is going to jerk something more out to make it a little better.

I guess all of us are aware that it is 20 minutes until 8 o'clock in the evening and it is the 30th day of December. If the administration is just waking up to this on the 30th of December, maybe they ought to go into the new year with the budget the way it always has been and then come back and tell us what their problem is next year—because it looks like we are going to be here next year.

Mr. PATMAN. Mr. Speaker, may I inquire if the gentleman from Iowa has consumed all of his time?

The SPEAKER. The gentleman from Iowa has consumed all of his time.

Mr. PATMAN. Mr. Speaker, I yield 1 minute to the gentleman from California (Mr. HANNA) to answer the gentleman from Texas (Mr. GONZALEZ).

Mr. HANNA. Mr. Speaker, I rise only to emphasize the fact that this whole thing has been disturbing.

Mr. GONZALEZ. The accusation that the banks are trying to get from under mandatory control is not true. It would still have to go through the appropriation route. It would still have to be accountable to the budget. This is a must piece of legislation. I agree with the gentleman.

One other point, and that is the charge has been made that the bank wants more money at this time. That is simply not the case at all. I want to join in the remarks made by the gentleman from California in this regard.

Mr. HANNA. I thank the gentleman.

The SPEAKER. All time has expired. The question is on the motion of the gentleman from Texas that the House suspend the rules and pass the bill S. 4268.

The question was taken; and the Speaker being in doubt, the House divided, and there were—ayes 56, noes 40.

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

The SPEAKER. Evidently a quorum is not present.

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

The question was taken; and there were—yeas 161, nays 102, not voting 169, as follows:

[Roll No. 455]

YEAS—161

Adams	Gaydos	Obey
Albert	Gonzalez	O'Hara
Alexander	Green, Oreg.	Patman
Anderson, Ill.	Green, Pa.	Patten
Anderson,	Griffin	Pelly
Tenn.	Gude	Perkins
Annunzio	Hagan	Philbin
Arends	Halpern	Pickle
Ashley	Hamilton	Pirnie
Barrett	Hammer-	Fodell
Beall, Md.	schmidt	Preyer, N.C.
Belcher	Hanley	Price, Ill.
Bell, Calif.	Hanna	Pryor, Ark.
Bevill	Hansen, Idaho	Pucinski
Biester	Harrington	Qule
Bingham	Hastings	Rees
Blanton	Hathaway	Reid, N.Y.
Blatnik	Heckler, Mass.	Reuss
Boggs	Helstoski	Robison
Bolling	Hogan	Rodino
Brademas	Horton	Roe
Brasco	Hosmer	Rooney, Pa.
Bray	Jarman	Roth
Brooks	Johnson, Calif.	Roybal
Brotzman	Jones, Ala.	Ryan
Brown, Mich.	Kastenmeier	St Germain
Burke, Mass.	Kazen	Scheuer
Bush	Keith	Schwengel
Byrne, Pa.	Kling	Shriver
Byrnes, Wis.	Kluczynski	Sisk
Carey	Koch	Smith, N.Y.
Carney	Kyros	Springer
Cohelan	Lloyd	Stanton
Collins, Tex.	McCloskey	Steele
Conable	McDade	Stephens
Conte	McFall	Stratton
Corman	McDonald,	Symington
Coughlin	Mass.	Taft
Culver	Madden	Teague, Calif.
Daniels, N.J.	Maillard	Thompson, N.J.
Donohue	Matsunaga	Therman
Dulski	Mayne	Tunney
Eilberg	Meeds	Udall
Eshleman	Mikva	Van Deerlin
Feighan	Mills	Vander Jagt
Findley	Mintish	Waldie
Fisher	Mink	White
Flood	Mizell	Whitehurst
Foley	Mollohan	Widnall
Ford, Gerald R.	Monagan	Williams
Forsythe	Morgan	Wolf
Fraser	Morse	Wright
Frelinghuysen	Murphy, N.Y.	Yates
Gallifanakis	Nelsen	Young
Garmatz	Nix	

NAYS—102

Abernethy	Flynt	Passman
Addabbo	Foreman	Pettis
Ashbrook	Frey	Pike
Baring	Fulton, Pa.	Poage
Bennett	Fuqua	Poff
Betts	Goodling	Quillen
Blaggi	Gross	Rarick
Boland	Hall	Roberts
Bow	Harsha	Rogers, Fla.
Brinkley	Hays	Ruth
Brown, Ohio	Hechler, W. Va.	Sandman
Broyhill, Va.	Hunt	Satterfield
Burke, Fla.	Hutchinson	Saylor
Burleson, Tex.	Ichord	Schmitz
Cabell	Jacobs	Schneebell
Camp	Jones, N.C.	Skubitz
Cederberg	Kee	Slack
Chamberlain	Kuykendall	Smith, Iowa
Chappell	Kyl	Steed
Clancy	Landgrebe	Steiger, Wis.
Cleveland	Latta	Stokes
Colmer	Long, Md.	Stubblefield
Crane	Lukens	Taylor
Daniel, Va.	McCarthy	Teague, Tex.
Davis, Wls.	McClure	Thomson, Wls.
Dellenback	Mahon	Vanik
Dennis	Mann	Vigorito
Dent	Marsh	Wampler
Derwinski	Melcher	Ware
Devine	Miller, Ohio	Whitten
Dickinson	Montgomery	Wylie
Downing	Natcher	Wyman
Duncan	Nedzi	Zablocki
Flowers	Olsen	Zwach

NOT VOTING—169

Abbott	Fish	Murphy, Ill.
Adair	Ford,	Myers
Anderson,	William D.	Nichols
Calif.	Fountain	O'Konski
Andrews, Ala.	Friedel	O'Neal, Ga.
Andrews,	Fulton, Tenn.	O'Neill, Mass.
N. Dak.	Gallagher	Ottinger
Aspinall	Gettys	Pepper
Ayres	Glaimo	Pollock
Berry	Gibbons	Powell
Blackburn	Gilbert	Price, Tex.
Brook	Goldwater	Purcell
Broomfield	Gray	Railsback
Brown, Calif.	Griffiths	Randall
Broyhill, N.C.	Grover	Reid, Ill.
Buchanan	Gubser	Reifel
Burlison, Mo.	Haley	Rhodes
Burton, Calif.	Hansen, Wash.	Riegle
Burton, Utah	Harvey	Rogers, Colo.
Button	Hawkins	Rooney, N.Y.
Caffery	Hébert	Rosenthal
Carter	Henderson	Rostenkowski
Casey	Hicks	Roudebush
Celler	Holifield	Roussetot
Chisholm	Howard	Ruppe
Clark	Hull	Schadeberg
Clausen,	Hungate	Scherle
Don H.	Johnson, Pa.	Scott
Clawson, Del	Jonas	Sebelius
Clay	Jones, Tenn.	Shelley
Collier	Karth	Sikes
Collins, Ill.	Kleppe	Smith, Calif.
Conyers	Landrum	Snyder
Corbett	Langen	Stafford
Cowger	Leggett	Staggers
Cramer	Lennon	Steiger, Ariz.
Cunningham	Long, La.	Stuckey
Daddario	Lowenstein	Sullivan
Davis, Ga.	Lujan	Talcott
de la Garza	McClory	Thompson, Ga.
Delaney	McCulloch	Ullman
Denney	McDonald,	Waggoner
Diggs	Mich.	Watson
Dingell	McEwen	Watts
Dorn	McKneally	Weicker
Dowdy	McMillan	Whalen
Dwyer	MacGregor	Whalley
Eckhardt	Martin	Wiggins
Edmondson	Mathias	Wilson, Bob
Edwards, Ala.	May	Wilson,
Edwards, Calif.	Meskill	Charles H.
Edwards, La.	Michel	Winn
Erlenborn	Miller, Calif.	Wold
Esch	Minshall	Wyatt
Evans, Colo.	Mize	Wydler
Evins, Tenn.	Moorhead	Yatron
Fallon	Morton	Zion
Farbstein	Mosher	
Fascell	Moss	

So (two-thirds not having voted in favor thereof) the motion was rejected. The Clerk announced the following pairs:

Mr. O'Neill of Massachusetts with Mr. Rhodes.
 Mr. Hébert with Mr. Del Clawson.
 Mr. Waggonner with Mr. Minshall.
 Mr. Hull with Mr. Broomfield.
 Mr. Henderson with Mr. Andrews of North Dakota.
 Mr. Lennon with Mr. Martin.
 Mr. Burton of California with Mrs. Chisholm.
 Mr. Miller of California with Mr. Smith of California.
 Mr. Charles H. Wilson with Mr. Ruppe.
 Mrs. Sullivan with Mrs. Dwyer.
 Mr. Hollifield with Mr. Carter.
 Mr. Karth with Mr. Adair.
 Mr. Celler with Mr. Wylder.
 Mr. Moss with Mr. Bob Wilson.
 Mr. Rooney of New York with Mr. Corbett.
 Mr. Rostenkowski with Mr. Jonas.
 Mr. Shipley with Mr. Johnson of Pennsylvania.
 Mr. Sikes with Mr. Myers.
 Mr. Gallagher with Mr. Erlenborn.
 Mr. Gettys with Mr. Thompson of Georgia.
 Mr. Gray with Mr. Whalley.
 Mr. Clark with Mr. Don H. Clausen.
 Mr. Andrews of Alabama with Mr. Blackburn.
 Mr. Moorhead with Mr. Fish.
 Mr. Delaney with Mr. Stafford.
 Mr. Dingell with Mr. McDonald of Michigan.
 Mr. Dorn with Mr. Denney.
 Mr. Edmondson with Mr. Talcott.
 Mr. Edwards of California with Mr. Conyers.
 Mr. Evins of Tennessee with Mr. Buchanan.
 Mr. Fountain with Mr. Price of Texas.
 Mr. Fulton of Tennessee with Mrs. Reid of Illinois.
 Mr. Nichols with Mr. Scott.
 Mr. Leggett with Mr. Clay.
 Mr. Jones of Tennessee with Mr. Mize.
 Mr. Hicks with Mr. McClory.
 Mr. Howard with Mr. Ayres.
 Mr. Ullman with Mr. Kleppe.
 Mr. Long of Louisiana with Mr. O'Konski.
 Mr. Burlison of Missouri with Mr. Berry.
 Mr. Casey with Mr. Langen.
 Mr. Gibbons with Mr. Snyder.
 Mr. Randall with Mr. Welcker.
 Mr. Staggars with Mr. Goldwater.
 Mrs. Hansen of Washington with Mr. Winn.
 Mrs. Griffiths with Mr. Harvey.
 Mr. Haley with Mr. Zion.
 Mr. Farbstein with Mr. Collins of Illinois.
 Mr. Rosenthal with Mr. Hawkins.
 Mr. Rogers of Colorado with Mr. Sebelius.
 Mr. Stuckey with Mr. Roussetot.
 Mr. William D. Ford with Mr. Collier.
 Mr. Murphy of Illinois with Mr. Brock.
 Mr. Lowenstein with Mr. Diggs.
 Mr. Edwards of Louisiana with Mr. Mosher.
 Mr. Evans of Colorado with Mr. Michel.
 Mr. Pepper with Mr. Lujan.
 Mr. Aspinall with Mr. Wiggins.
 Mr. Abbutt with Mr. Mathias.
 Mr. Hungate with Mr. Grover.
 Mr. Landrum with Mr. Esch.
 Mr. Caffery with Mr. McEven.
 Mr. Davis of Georgia with Mr. Wold.
 Mr. de la Garza with Mr. Edwards of Alabama.
 Mr. Glaimo with Mr. Cunningham.
 Mr. Purcell with Mr. Scherle.
 Mr. McMillan with Mr. Rallsback.
 Mr. Yatron with Mr. Morton.
 Mr. Anderson of California with Mr. MacGregor.
 Mr. Brown of California with Mr. Broyhill of North Carolina.
 Mr. Daddario with Mr. Whalen.
 Mr. Dowdy with Mr. Watson.
 Mr. Eckhardt with Mr. Cowger.
 Mr. Gilbert with Mr. Schadeberg.
 Mr. Watts with Mr. Meskill.
 Mr. Fallon with Mr. Burton of Utah.
 Mr. Fascell with Mr. Pollock.
 Mr. Friedel with Mr. Cramer.
 Mr. Ottinger with Mr. Roudebush.

Mr. O'Neal of Georgia with Mr. Reifel.
 Mr. McCulloch with Mr. Steiger of Arizona.
 Mrs. May with Mr. McKneally.
 Mr. Button with Mr. Gubser.
 Mr. Wyatt with Mr. Riegle.

Mr. BROYHILL of Virginia and Mr. TEAGUE of Texas changed their votes from "yea" to "nay."

Mr. PRYOR of Arkansas changed his vote from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

GENERAL LEAVE TO EXTEND

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

The SPEAKER pro tempore (Mr. ALBERT). Is there objection to the request of the gentleman from Texas?

There was no objection.

FOURTEENTH ANNUAL REPORT ON THE TRADE AGREEMENT PROGRAM—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-433)

The SPEAKER pro tempore (Mr. ALBERT) laid before the House the following message from the President of the United States; which was read and, together with the accompanying papers, without objection, referred to the Committee on Ways and Means and ordered to be printed:

To the Congress of the United States:

Pursuant to the requirements of the Trade Expansion Act of 1962, I transmit herewith the Fourteenth Annual Report on the Trade Agreements Program. This report covers the year 1969.

Stimulated by continued economic expansion, free-world trade in 1969 rose 14 percent to a new record of about \$245 billion. In the United States, monetary and fiscal policies designed to restore stable and balanced growth of the economy were reflected in a slowdown of the increase in imports, while exports continued to rise at about the same rate as in 1968. As a result, the deterioration in the U.S. trade balance that had characterized performance during the previous four years was reversed.

During the period covered by this report, I forwarded to the Congress my proposals for new trade legislation. These proposals, together with others, are still under consideration. The decisions taken by the Congress will have an important bearing on our ability to advance our national interest, both in terms of sound growth of the domestic economy and further development of international cooperation so that trade can continue to be an engine of progress rather than a source of conflict among nations.

This Administration remains committed to the objective of expanding mutually advantageous world trade. The record of the United States demonstrates clearly its willingness to assume its obligations in this field. We must continue to do our part, while at the same time de-

fending vigorously the rights of our traders under international agreements.

The economic and political dynamics of the 1970s will enhance the importance of trade in relations among nations. In 1969, part of the essential groundwork was initiated; the Commission on International Trade and Investment Policy is currently examining new approaches tailored to our long term domestic and foreign policy interests. With Congressional support for policies aimed at securing a more open world trading system, I am confident that the United States will reap its full share of the benefits from closer international cooperation to achieve greater prosperity and better relations throughout the world.

RICHARD NIXON.

THE WHITE HOUSE, December 30, 1970.

CONFERENCE REPORT ON H.R. 19172, LEAD-BASED PAINT POISONING PREVENTION ACT

Mr. BARRETT submitted the following conference report and statement on the bill (H.R. 19172) to provide Federal financial assistance to help cities and communities to develop and carry out intensive local programs to eliminate the causes of lead-based paint poisoning and local programs to detect and treat incidents of such poisoning, to establish a Federal demonstration and research program to study the extent of the lead-based paint poisoning problem and the methods available for lead-based paint removal, and to prohibit future use of lead-based paint in Federal or federally assisted construction or rehabilitation:

CONFERENCE REPORT (H. REPT. NO. 91-1802)

The committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 19172) to provide Federal financial assistance to help cities and communities to develop and carry out intensive local programs to eliminate the causes of lead-based paint poisoning and local programs to detect and treat incidents of such poisoning, to establish a Federal demonstration and research program to study the extent of the lead-based paint poisoning problem and the methods available for lead-based paint removal, and to prohibit future use of lead-based paint in Federal or federally assisted construction or rehabilitation, having met, after full and free conference, have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by the Senate amendment insert the following:

That this Act may be cited as the "Lead-Based Paint Poisoning Prevention Act".

TITLE I—GRANTS FOR THE DETECTION AND TREATMENT OF LEAD-BASED PAINT POISONING

GRANTS FOR LOCAL DETECTION AND TREATMENT OF LEAD-BASED PAINT POISONING

SEC. 101. (a) The Secretary of Health, Education, and Welfare (hereafter referred to in this title as the "Secretary") is authorized to make grants to units of general local government in any State for the purpose of assisting such units in developing and carrying out local programs to detect and treat incidents of lead-based paint poisoning.

(b) The amount of any such grant shall

not exceed 75 per centum of the cost of developing and carrying out a local program, as approved by the Secretary, during a period of three years.

(c) A local program should include—

(1) educational programs intended to communicate the health danger and prevalence of lead-based paint poisoning among children of inner city areas, to parents, educators, and local health officials;

(2) development and carrying out of intensive community testing programs designed to detect incidents of lead-based paint poisoning among community residents, and to insure prompt medical treatment for such afflicted individuals;

(3) development and carrying out of intensive followup programs to insure that identified cases of lead-based paint poisoning are protected against further exposure to lead-based paints in their living environment; and

(4) any other actions which will reduce or eliminate lead-based paint poisoning.

(d) Each local program shall afford opportunities for employing the residents of communities or neighborhoods affected by lead-based paint poisoning, and for providing appropriate training, education, and any information which may be necessary to inform such residents of opportunities for employment in lead-based paint poisoning elimination programs.

TITLE II—GRANTS FOR THE ELIMINATION OF LEAD-BASED PAINT POISONING

SEC. 201. The Secretary of Health, Education, and Welfare is authorized to make grants to units of general local government in any State for the purpose of assisting such units in developing and carrying out programs that identify those areas that present a high risk to the health of residents because of the presence of lead-based paints on interior surfaces, and then to develop and carry out programs to eliminate the hazards of lead-based paint poisoning.

(a) A local program should include:

(1) development and carrying out of comprehensive testing programs to detect the presence of lead-based paints on surfaces of residential housing;

(2) the development and carrying out of a comprehensive program requiring the prompt elimination of lead-based paints from all interior surfaces, porches, and exterior surfaces to which children may be commonly exposed, of residential housing on which lead-based paints have been used as a surface covering, including those surfaces on which non-lead-based paints have been used to cover surfaces to which lead-based paints were previously applied; and

(3) any other actions which will reduce or eliminate lead-based paint poisoning.

(b) Each such program shall—

(1) be consistent with the appropriate local program assisted under section 101, and

(2) afford, to the maximum extent feasible, opportunities for employing the residents of communities or neighborhoods affected by lead-based paint poisoning, and for providing appropriate training, education, and any information which may be necessary to inform such residents of opportunities for employment in lead-based paint elimination programs.

TITLE III—FEDERAL DEMONSTRATION AND RESEARCH PROGRAM

FEDERAL DEMONSTRATION AND RESEARCH PROGRAM

SEC. 301. The Secretary of Housing and Urban Development, in consultation with the Secretary of Health, Education, and Welfare, shall develop and carry out a demonstration and research program to determine the nature and extent of the problem of lead-based paint poisoning in the United States, particularly in urban areas, and the methods by which lead-based paint can most effectively

be removed from interior surfaces, porches, and exterior surfaces to which children may be commonly exposed, of residential housing. Within one year after the date of the enactment of this Act the Secretary shall submit to the Congress a full and complete report of his findings and recommendations as developed pursuant to such program, together with a statement of any legislation which should be enacted, and any changes in existing law which should be made, in order to carry out such recommendations.

TITLE IV—PROHIBITION AGAINST FUTURE USE OF LEAD-BASED PAINT

PROHIBITION AGAINST USE OF LEAD-BASED PAINT IN FUTURE CONSTRUCTION AND REHABILITATION

SEC. 401. The Secretary of Health, Education, and Welfare shall take such steps and impose such conditions as may be necessary or appropriate to prohibit the use of lead-based paint in residential structures constructed or rehabilitated after the date of enactment of this Act by the Federal Government, or with Federal assistance in any form.

TITLE V—GENERAL

DEFINITIONS

SEC. 501. As used in this Act—

(1) the term "State" means the several States, the District of Columbia, the Commonwealth of Puerto Rico, and the territories and possessions of the United States;

(2) the term "units of general local government" means (A) any city, county, township, town, borough, parish, village, or other general purpose political subdivision of a State, (B) any combination of units of general local government in one or more States, (C) an Indian tribe, or (D) with respect to lead-based paint poisoning elimination activities in their urban areas, the territories and possessions of the United States; and

(3) the term "lead-based paint" means any paint containing more than 1 per centum lead by weight (calculated as lead metal) in the total non-volatile content of liquid paints or in the dried film of paint already applied.

CONSULTATION WITH OTHER DEPARTMENTS AND AGENCIES

SEC. 502. In carrying out the authority under this Act, the Secretary of Health, Education, and Welfare shall cooperate with and seek the advice of the heads of any other departments or agencies regarding any programs under their respective responsibilities which are related to, or would be affected by, such authority.

APPROPRIATIONS

SEC. 503. (a) There is hereby authorized to be appropriated to carry out the provisions of title I of this Act not to exceed \$3,330,000 for the fiscal year 1971 and \$6,660,000 for the fiscal year 1972.

(b) There is hereby authorized to be appropriated to carry out the provisions of title II of this Act not to exceed \$5,000,000 for the fiscal year 1971 and \$10,000,000 for the fiscal year 1972.

(c) There is hereby authorized to be appropriated to carry out the provisions of title III of this Act not to exceed \$1,670,000 for the fiscal year 1971 and \$3,340,000 for the fiscal year 1972.

(d) Any amounts appropriated under this section shall remain available until expended when so provided in appropriation Acts; and any amounts authorized for the fiscal year 1971 but not appropriated may be appropriated for the fiscal year 1972.

And the Senate agree to the same.

WILLIAM A. BARRETT,
HENRY REUSS,
T. L. ASHLEY,
WILLIAM MOORHEAD,
WILLIAM B. WIDNALL,
SEYMOUR HALPERN,
J. WILLIAM STANTON.

Managers on the Part of the House.

RALPH W. YARBOROUGH,
HARRISON A. WILLIAMS,
EDWARD KENNEDY,
GAYLORD NELSON,
THOMAS F. EAGLETON,
ALAN CRANSTON,
HAROLD E. HUGHES,
PETER H. DOMINICK,
JACOB K. JAVITS,
GEORGE MURPHY,
WINSTON PROUTY,
WILLIAM B. SAXBE,

Managers on the Part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H.R. 19172) to provide Federal financial assistance to help cities and communities to develop and carry out intensive local programs to eliminate the causes of lead-based paint poisoning and local programs to detect and treat incidents of such poisoning, to establish a Federal demonstration and research program to study the extent of the lead-based paint poisoning problem and the methods available for lead-based paint removal, and to prohibit future use of lead-based paint in Federal or federally assisted construction or rehabilitation, submit the following statement in explanation of the effect of the action agreed upon by the conferees and recommended in the accompanying conference report:

The Senate amendment strikes out all of the House bill after the enacting clause and inserts a substitute. The House recedes from its disagreement to the amendment of the Senate, with an amendment which is a substitute for both the House bill and the Senate amendment. The differences between the House bill and the substitute agreed to in conference are noted below except for minor technical and clarifying changes made necessary by reason of the conference agreement.

GRANTS FOR LOCAL ELIMINATION OF LEAD-BASED PAINT

The House bill contained a provision authorizing the Secretary of HUD to make grants to units of general local government for the purpose of assisting these governments in developing and carrying out local lead-based paint elimination programs. The Senate amendment contains a provision authorizing the Secretary of Health, Education, and Welfare to make grants to units of general local government for the purpose of assisting these governments in developing and carrying out local lead-based paint detection and treatment programs. The conference substitute contains the Senate provision.

GRANTS FOR THE ELIMINATION OF LEAD-BASED PAINT POISONING

The Senate amendment contained a provision similar to the House bill authorizing the Secretary of HEW to make grants to units of general local government for the purpose of assisting these governments in developing and carrying out local lead-based paint elimination programs. Such local lead-based paint programs would include comprehensive testing programs to detect the presence of lead-based paint on surfaces of residential housing; programs of eliminating lead-based paint from all interior surfaces and exterior surfaces to which children are commonly exposed and other actions to reduce or eliminate lead-based paint poisoning. The similar House provision would authorize a local program of lead-based paint elimination to include educational programs to communicate the health danger of lead paint in the development of intensive community testing programs to detect incidents of lead paint poisoning. The conference substitute contains the Senate provision.

FEDERAL DEMONSTRATION AND RESEARCH PROGRAMS

The House bill and the Senate amendment contained a provision authorizing the Secretary of HUD in consultation with the Secretary of HEW to develop and carry out a demonstration and research program to detect the nature and extent of lead-based paint poisoning in the United States. The Senate provision authorized this demonstration and research program to establish methods by which lead paint can be effectively removed from interior surfaces, porches, and exterior surfaces to which children are commonly exposed. The similar House provision for demonstration and research directs this demonstration and research program to develop methods to effectively remove lead paint from the existing buildings. The conference substitute contains the Senate language.

PROHIBITION AGAINST USE OF LEAD-BASED PAINT IN FUTURE CONSTRUCTION AND REHABILITATION

The House bill contained a provision authorizing the Secretary of HUD to prohibit the use of lead-based paint in all future Federal construction and rehabilitation after date of enactment of this act of any building or structure receiving Federal assistance in any form. The Senate amendment contained a provision authorizing the Secretary of HEW to take such steps and impose such conditions as may be necessary and appropriate to prohibit the use of lead-based paint in Federal construction or rehabilitation of residential housing. The conference substitute contains the Senate provision.

CONSULTATIONS WITH OTHER DEPARTMENTS AND AGENCIES

The House amendment contained a provision authorizing the Secretary of HUD and the Secretary of HEW to cooperate and seek the advice of heads of other Departments or Agencies regarding any programs related to or affected by lead-based paint poisoning problems. The Senate amendment contained no such provision and none is contained in the conference substitute.

GENERAL PROVISIONS

The House bill contained a provision authorizing the Secretary of HEW to make grants to local governments for the detection and treatment of lead paint poisoning. The House provision authorized \$5 million for fiscal year 1971 and \$5 million for fiscal year 1972. The Senate amendment contained a provision authorizing \$7,500,000 for fiscal year 1971 and for each of the two succeeding fiscal years to carry out the provisions of Title I of the Senate bill providing for grants by the Secretary of HEW to local communities for the detection and treatment of lead-based paint poisoning. The conference substitute contains the Senate provision with an amendment authorizing \$3,300,000 for fiscal year 1971 and \$6,660,000 for fiscal year 1972.

The Senate amendment contained a provision authorizing the Secretary of HEW to make grants to local governments to assist them in developing and carrying out programs to eliminate the cause of lead-based paint poisoning.

The House bill contained a provision authorizing the Secretary of HUD to make grants to local governments to assist them in developing and carrying out programs to eliminate the cause of lead-based paint poisoning. The House provision authorized \$10 million for fiscal year 1971 and \$10 million for fiscal year 1972.

The conference substitute contains the Senate provision with an amendment authorizing \$5 million for fiscal year 1971 and \$10 million for fiscal year 1972.

The House bill contained a provision providing for a Federal demonstration and research program with an authorization of not less than 25 percent of the amount available to carry out the grant program. The Senate

amendment contained a similar provision authorizing \$3,500,000 for fiscal year 1971 and each of the two succeeding fiscal years. The conference substitute contains an amendment authorizing \$1,670,000 for fiscal year 1971 and \$3,340,000 for fiscal year 1972.

WILLIAM A. BARRETT,
HENRY REUSS,
T. L. ASHLEY,
WILLIAM MOORHEAD,
WILLIAM B. WIDNALL,
SEYMOUR HALPERN,
J. WILLIAM STANTON,

Managers on the Part of the House.

LEGISLATIVE PROGRAM

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

Mr. ALBERT. Mr. Speaker, I take this time to advise the House that the Speaker will recognize for calling up under suspension of the rules House Resolution 1321, concerning the continued suffering by Jewish citizens of the Soviet Union, and the conference report on H.R. 13000, to implement the Federal employee pay comparability system, to establish a Federal Employee Salary Commission and a Board of Arbitration, and for other purposes, on tomorrow.

Mr. Speaker, there may be other suspensions of the rules tomorrow, but these the Speaker has already agreed to recognize.

REQUEST FOR PERMISSION TO DECLARE A RECESS

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that it may be in order tomorrow for the Speaker to declare a recess at any time subject to the call of the Chair.

The SPEAKER pro tempore (Mr. MILLS). Is there objection to the request of the gentleman from Oklahoma?

Mr. BOW. Mr. Speaker, I object.

THE BETHLEHEM STEEL CORP.'S STUDY OF THE GROWING PROBLEM OF ALCOHOLISM

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

Mr. ROONEY of Pennsylvania. Mr. Speaker, a bill to provide a comprehensive Federal program for the prevention and treatment of alcohol abuse and alcoholism, S. 3835, is now at the White House awaiting the President's signature. A great deal of public interest and support for the legislation was generated by one of the leading industries in my district, the Bethlehem Steel Corp.

Members of Bethlehem's management studied for many months the growing problem of alcoholism, and in 1965 instituted an alcoholism program to provide help, in the form of professional medical consultation and guidance, to its employees.

Increased medical knowledge of alcoholism has established beyond doubt that alcoholism is a disease, and that an employer can be the single most important force in motivating an employee with alcoholism to seek help.

Bethlehem's alcoholism program is designed to diagnose the disease, counsel the employee suffering from it, and advise him as to treatment. The management feels that without a definite company policy on alcoholism, there is a tendency to do nothing until an alcoholic employee appears on the job in an intoxicated state, or until the employee's work performance has completely deteriorated. In the five years of the Bethlehem program's life, over 60 percent of the enrollees have made dramatic progress toward recovery.

The impact of Bethlehem's program has been felt not only within the company, however, but, through its excellent publicity program, throughout the country. I would like to insert in the RECORD today the text of a message which has appeared recently in a number of nationwide magazines, as well as a report entitled "Supplementary Information for Supervisors" on the Bethlehem Steel alcoholism program.

HARRY'S LOADED AGAIN—I SAY LET'S FIRE HIM

Harry is a great guy, really. Everybody says so. Darned good welder, too.

Except when he's drinking. And Harry seems to be drinking most of the time.

Because of alcohol Harry missed 11 days from work last month. What do you do with an employee like Harry? Fire him?

Here at Bethlehem we have a better solution. Better for Harry, better for us. We've developed a corporation-wide alcoholism program built on rehabilitation. Each employee with a drinking problem is urged to seek help through this plan.

It's working, too. In the five years of the program's life, over 60% of the enrollees have made dramatic progress toward recovery. Some cases are, of course, hopeless. Such people simply cannot hold a job.

The alcoholic is a person with a serious illness; indeed, alcoholism is the nation's No. 1 neglected health problem. Yet there's a better than even chance that the problem drinker can be saved from his affliction.

Typically, the alcoholic is talented and intelligent. To discard him, then, is indefensible. To try to salvage him is the only answer, on both economic and humanitarian grounds.

We hope we are seeing the dawn of a day when every business and every citizen views the alcoholic for what he is: sick, but not sickening.

Bethlehem Steel.

ALCOHOLISM PROGRAM, BETHLEHEM STEEL CORP.—SUPPLEMENTARY INFORMATION FOR SUPERVISORS

Alcoholism has become a major health problem. There are five million alcoholics in the United States. Two million are employed in industry; and their disease is costing industry about one billion dollars annually.

At Bethlehem's request, the National Council on Alcoholism, an organization having special knowledge and experience with the problem, has surveyed our operations, and has counselled in the preparation of this Program. Among the conclusions reached by that organization are the following:

1. Among Bethlehem employees—as among employees of other companies—are persons whose drinking behavior interferes with their work performance. The proportion of such employees with Bethlehem is probably about the same as that with other companies in industry generally.

2. The estimated annual cost to Bethlehem of present procedures in handling employees with drinking problems is not less than \$2.5 million.

3. Experience in other large companies which have developed formal alcoholism programs has shown that a large percentage of employees having drinking problems can be successfully rehabilitated.

4. Bethlehem can, with the complete cooperation of supervisory personnel and through early detection and referral for therapy of employees with drinking problems, help those employees and at the same time substantially reduce company costs.

Without a definite company policy on alcoholism, there is a tendency to do nothing until an employee with alcoholism appears on the job in an intoxicated state, or until the employee's work performance has completely deteriorated. Then he may be disciplined, or, more frequently, threatened with discipline, only to have such threat repeated over and over again. That practice does not encourage employees with alcoholism to discontinue their drinking habits; it probably has the effect of more firmly establishing addiction.

Increased medical knowledge of alcoholism has established beyond doubt that alcoholism is a disease and that an employer can be the single most important force in motivating employees with alcoholism to seek help. Therefore, Bethlehem has now established a definite program of assistance to employees afflicted with alcoholism.

The Program is neither difficult nor complicated. It will, however, require close cooperation between operating and medical personnel.

It is absolutely necessary to the success of the Program that supervisors participate actively in it. But in order to do so, they must have at least a basic knowledge of the nature of alcoholism; and providing that knowledge is the purpose of this document.

Alcoholism is a disease. It is a chronic, progressive, addictive disease, having grave organic, psychological and social consequences. The length of time over which addiction occurs varies widely, but it is rarely less than five to seven years of moderate to heavy social drinking. The treatment is total abstinence. Complete, permanent avoidance of alcohol is necessary to arrest the disease, because once the disease is firmly established, a single drink or even the small amount of alcohol in a dose of cough syrup will cause an immediate relapse.

Alcoholism is not a sign of impaired morals or lack of will power. Like other diseases, alcoholism occurs without regard to social or economic status, strength of character, educational attainment or personal accomplishment.

It has been estimated that there are seventy million persons in the United States who consume alcoholic beverages. Some sixty-five million of those persons use alcohol because they enjoy its effect upon their emotions and mental processes. Only a few claim to enjoy its taste; a few mistakenly take it as a tonic. Many of those who use alcohol believe it is a stimulant, whereas the fact is that it is a depressant. But by depressing inhibitions and relaxing tensions, its judicious use leads to good fellowship and increased pleasure in social gatherings. This type of drinking is almost universally accepted and is known as social drinking.

To the remaining five million people who drink, two million of whom are employed in industry, alcohol is a problem. For reasons not yet fully understood, these people, usually after years of social drinking, develop an uncontrollable desire for alcohol.

The chain of events leading from social drinking through heavy drinking to compulsive drinking is so predictable that those persons to whom alcohol is or will become a problem are identifiable at an early stage in their disease. The consequences of compulsive drinking usually become evident at this early stage and involve the person in all his relationships. Job performance deteriorates early and rapidly. In the later stages—

the so-called skid-row derelict—the individual is, of course, completely unreliable and unemployable.

Early in the disease, persons with alcoholism recognize that drinking is becoming a problem to them, but the social stigma attached to alcoholism is so intense that they will hide it, and will try to not even admit it to themselves as long as possible. This reluctance to admit the existence of the problem is the greatest deterrent in getting early help to the alcoholic.

Experience has shown that the single most effective factor in motivating employed persons with alcoholism to ask for help in overcoming their problem drinking is an enlightened approach by management toward this disease. Successful programs are based on the following premises:

1. Management is concerned only with alcoholism and its effect on the individual and his job; it is not concerned with social drinking.

2. Management recognizes that alcoholism is a chronic, progressive disease affecting some of its employees and that it can be treated.

3. Alcoholism, like any other disease, can be diagnosed only by a physician and should be treated only by or under the direction of a physician, but considerable assistance from both supervision and outside treatment facilities is helpful and necessary.

4. Consistent, firm discipline is often necessary in motivating the employee with alcoholism to accept treatment. Bethlehem's Program is based on those premises.

As with many other diseases, the early treatment of alcoholism offers the greatest chance of success. Unfortunately, persons with early alcoholism not only hide their disease, but they also avoid contact with medical personnel. The earliest signs of the disease are of such a nature that those who know the person intimately are in the best position to recognize the problem. In an industrial organization, the person most likely to recognize the signs of early alcoholism in an employee is his immediate supervisor. For this reason, in the Program, as in effective industrial programs generally, the responsibility for early detection of employees having drinking problems lies with the supervisors. Every supervisor should, therefore, become familiar with the early symptoms of alcoholism so that he can identify employees who may have alcoholism, before they become hopeless addicts.

The symptoms of early alcoholism vary. Generally, persons with the disease complain of frequent or continual tiredness. Frequently, they have or claim to have minor illnesses of a non-specific nature, such as colds, virus infections, upset stomach, or flu. The drinker may have blood-shot eyes, red nose, flushed face, and the odor of alcohol on his breath. He may make frequent and lengthy trips to the toilet and may often be absent from his work place. He may have a wide range of alibis for his own failures and blame others for his own mistakes. He may develop shakiness of the hands and an unsteady gait. He may become vague and unable to concentrate. He may have a faulty memory and show wide shifts in mood from exhilaration to depression. He may suffer minor injuries for which he disclaims all responsibility. His work pace may become quite uneven, and generally slows more and more. His own production and that of his co-workers suffers. He may have problems with his wife and his children. He may have traffic accidents and police charges of careless or drunken driving. He may frequently be tardy or absent, especially on Monday and on the day after pay-day. His friends and fellow workers begin to know him as a "good guy when he's sober, but he drinks too much".

However, it is important to recognize that just as all people are different, so are alcoholics different. Some will exhibit all these symptoms in just about the order listed; others will exhibit only a few.

It is equally important to recognize that personal problems or diseases other than alcoholism may cause certain of the signs and symptoms of early alcoholism and that not everyone who exhibits these symptoms is an alcoholic. That is why diagnosis can be made only by a physician.

ATTEMPT TO SHIFT BLAME FOR UNPASSED LEGISLATION

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

Mr. HALL. Mr. Speaker, I hold in my hand one of several news releases from the ticker, wherein the other body of this Congress is beginning to point the finger and shift the blame for various pieces of unpassed legislation toward this body, which has waited much too long in a lameduck session and dawdled on the strings of poor leadership, waiting for the other body to act.

Mr. Speaker, I, for one, resent any Member of that other body casting the finger of scorn, whether it be by aspersion, whether it be by indirection, or whether it be by inference, or the common means of trying in the headlines to pit the body of public opinion against another body when it is they who have filibustered for 13 weeks.

I use the word "filibuster" advisedly—which we do not do in this body—on the question of busing, on the question of Cambodia long after it became a moot question and our men had been withdrawn, on the question of the confirmation of executive nominees for Supreme Court Justices, and now on the question of the transportation appropriation bill, the SST, and at least six other current issues.

I resent it when that other body decries and denigrates the value of the Congress as a whole in the minds of the American people.

I resent it, Mr. Speaker, and I think this body joins me, when any particular individual says that with 4 days to go before the 91st Congress must adjourn that surely the House will meet with them to iron out a bill that has more than 100 differences therein and which, in the wisdom of our people who passed the legislation over 7 months ago, could not possibly be ironed out.

I resent it when the man who makes these allegations was the man who put together the Christmas tree of foreign trade, reciprocal trade, and welfare plans along with Social Security Amendments of 1970, and only this week has removed those Christmas tree ornaments and left whole some kind of a social security bill.

I believe we should adjourn this Congress and go home, as I have said so often, without regard to inept leadership or the other body.

Since when can this House act when the other body is holding the papers on the proposed legislation?

ON THE QUESTION OF FILIBUSTERS

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

Mr. JACOBS. Mr. Speaker, if speaking at length in the other body is called a filibuster, what is it called when one speaks for 60 seconds and it winds up being 4 minutes in this body?

Mr. Speaker, I yield back the remainder of my time.

THE 75TH ANNIVERSARY OF THE FREE PUBLIC LIBRARY OF KEARNY, N.J.

(Mr. DANIELS of New Jersey asked and was given permission to extend his remarks at this point and to include extraneous matter.)

Mr. DANIELS of New Jersey. Mr. Speaker, the town of Kearny, N.J., located in the 14th Congressional District, which is my great privilege to represent, is currently celebrating the 75th anniversary of the existence of its free public library.

Established in 1895 and built with funds donated by Andrew Carnegie, the Kearny Free Public Library has grown from its humble beginnings as a circulating library with 600 volumes to a modern, well-equipped library of which the town of Kearny is justifiably proud.

I have been provided with a history of the Kearny Free Public Library which I found most interesting and I am sure that my colleagues will find it well worth reading. I include this historical account in the RECORD:

A HISTORY OF KEARNY FREE PUBLIC LIBRARY FROM 1895 TO 1970

(By Mrs. Walter C. Hipp)

Kearny Free Public Library had its beginning only twenty-eight years after Kearny was designated a Township by the New Jersey Legislature of 1867.

The Woman's Literary Club of Arlington, organized in 1894 and now The Woman's Club of Arlington, felt there was great need for a Public Library for the residents of the new Township. To provide funds for such an ambitious undertaking, in 1895 the Editor of the then Kearny Republican, forerunner of The Observer, Kearny's weekly newspaper, offered the Literary Club the privilege of composing one issue of the paper, the proceeds of that issue to be used by the club to found a Public Library in Arlington. The funds were used to purchase books for the proposed library and book donations by club members increased their stock. Thus, in 1895, the first circulating library in Kearny-Arlington began in the office of the local newspaper at 159 Midland Avenue. The library was serviced, maintained and staffed by members of the Literary Club. Beginning modestly with the original purchases and gifts, the inventory increased until the acquisitions numbered 600 volumes and an increase in library patrons showed a great need for larger quarters to adequately serve the 15,000 residents of the town.

Through the efforts of former Councilman John B. Davidson and Mayor Eugene R. Goldberg, the Kearny Town Council on March 23, 1904 passed a Resolution to submit the question of whether a Free Public Library should be established to the regular voters of the town at the Annual Town Election on April 12, 1904. The vote was decidedly in favor of a Public Library.

Andrew Carnegie, noted steel magnate and philanthropist, had assured the town he would donate a sum of money sufficient to erect a building provided the town purchased a site and would appropriate annually sufficient funds to properly maintain it.

The Town Council on April 30, 1904 appointed three library commissioners and on May 25, 1904 appointed two additional li-

brary commissioners for the proposed library. The July 13, 1904 minutes of the Town Council records receipt of a letter from the Library Commission notifying the council that the board had organized and elected Jesse Carver, President, Edward A. Strong, Secretary, L. W. Lindblom, Treasurer, the other commissioners being James K. Allen and Henry Chapman. Mayor Goldberg and Superintendent of Schools S. Arthur Brown were ex-officio members.

In 1904 and 1905 Mr. Chapman and Mr. Lindblom served as a committee to investigate suitable sites for the library building, their recommendation being the Boyd Tract on the corner of Kearny and Garfield Avenues measuring 100 x 100 feet. The first Account Ledger of the Library Commission shows Lots 251 to 254, Block 1535 were purchased October 12, 1905 for \$2,750.00. Bids on the new building were sent out, plans drawn up, and on October 27, 1906 the cornerstone of Kearny Free Public Library was laid. The architects selected for the structure were J. C. Davis and Calvin E. Keissling of New York City.

The Account Ledger of the Library Commission shows Mr. Andrew Carnegie's cash gifts to be December 24, 1906 \$6,432., February 26, 1907 \$8,000., April 6, 1907 \$3,070., May 11, 1907 \$3,500., June 11, 1907 \$5,200., June 29, 1907 \$1,398., a total gift of \$27,600. to the Town of Kearny for construction of its library, a structure of brick and stone, the architectural style Greek with Doric Columns.

Kearny Free Public Library opened its doors to the public on July 27, 1907. The Program of Opening Exercises of Kearny Library opened with selections by the West Hudson Choral Union under the direction of James Brierley, Invocation by Rev. S. Trevena Jackson, Pastor of First Methodist Episcopal Church, Presentation of the keys of the building by President of Board of Trustees Jesse Carver and their acceptance by Mayor Eugene N. Goldberg, music by the Knox Quartette, Mr. and Mrs. James Brierley, Mrs. Joseph Marsden and James Lennox, with soprano solos by Miss Alice Winters, their Accompanist being Miss Joan Lyon.

The principal speaker was John Cotton Dana, Librarian of Newark Library. Other speakers were Mrs. Florence Frapwell, 1st Vice President of the Woman's Literary Club of Arlington, William C. Kimball of Passaic, a member of the New Jersey State Library Board, Rev. Roland B. Dawson, with the Benediction by Rev. Father Thomas A. Conroy, Pastor of St. Cecilia's Roman Catholic Church. The newspapers of the day commented an unusual feature at the opening of the building was a floral piece on the Main Desk in the form of a big book made wholly of white carnations and pansies, with a wide red ribbon book-mark bearing in gold silk the motto "Knowledge Is Power".

Miss Edna KilGour was appointed Librarian on January 1st, 1907. A temporary work office was provided through the kindness of the Kearny Board of Education, therefore, on the Public Opening, July 29, 1907, the librarian had catalogued the 2,500 volumes ready for circulation. The First Annual Report of the library in 1908 stated there were 2,120 borrowers at the end of the first year, 1,091 being below the Quincy Avenue line and 1,029 coming from above the line, "which facts show the influence of the library throughout the town." The First Annual Report stated 1,800 volumes were added this first year, making a total of 4,600 volumes, that of this number 360 were given by the Woman's Literary Club of Arlington, 800 by the schools, 195 gifts from various Public-spirited citizens, and the remaining 3,245 had been purchased at an average cost of 59 cents per volume, that "with a population of 15,000, the circulation shows about 3 books per capita." A speech before a Civic Club by Trustee Chapman expressed appreciation for the loan to the library of the Teachers' Library which, he said, was of great value not

only to the teachers but to the many students attending the Normal Schools.

All the floor covering in the new building was given by The Nairn Linoleum Co. of Kearny through the effort of Mr. Peter Campbell. Commission James K. Allen furnished the trees for beautification of the grounds.

Miss M. Belle KilCour was appointed Chief Librarian in 1910, succeeding her sister in that capacity. She held this position for 29 years, until 1939. A listing of former Presidents of the New Jersey Library Association shows Miss M. Belle KilGour was its president for the 1920-1921 term.

Public interest and use of the library caused the Board of Trustees in 1910 to increase the hours the library was open: 10 to 12 noon, 1 to 6 P.M. 7 to 9 P.M. six days a week. In 1914 it was voted to have the library open continuously from 10 A.M. to 9 P.M. each weekday.

The threat of encroaching home construction caused the library trustees in 1910 to purchase the four lots facing Chestnut Street directly in the rear of the library building for \$2,830, thereby providing for future growth of the Institution.

Speaking before the Women's Literary Club in 1910, Library Trustee Chapman complimented the club and especially their Mrs. Kilborn for starting a library Picture Collection, Mrs. Kilborn herself having pasted over 3,000 pictures of artists and paintings which through the years had proved of inestimable value to school teachers, local organizations and especially students of art, making unnecessary time-consuming visits to Newark Library for these aids. Asked by the members how the club might serve the library, Mr. Chapman suggested volunteers continue mounting pictures for this collection, which was done for over fifty years.

The July 30, 1912 Library Board Minutes record the gift of 2 bronze plates from the wreck of the U.S. Battleship Maine by Mayor Louis Brock, which relics are still on view on the main hall wall of the library.

An entry in Library Minutes of June 1913 reflects the value placed on library books when report was made a book borrowed by "a man named Turner" had not been returned. The Secretary was instructed to accompany the Assistant Librarian to the man's place of business in Newark and demand the return of the book.

For the next ten years the library paralleled the town in growth, and by 1922 it became necessary to build a Mezzanine Floor, with steel stacks, to relieve the crowded stack area of the library.

Need of a Branch Public Library became urgent from the many requests of residents living in the upper section of town for library facilities nearer home. Through the cooperation of the Kearny Board of Education in making available a room in Roosevelt School at Kearny and Stewart Avenues, in 1922 the Kearny Branch Library was opened for service to the public. After five years in this location, it became evident the quarters in Roosevelt School were no longer adequate, a separate building for the expanding Branch being desirable. In 1927 a former residence located on the corner of Kearny and Stuyvesant Avenues, on a plot 55 x 125 feet, was purchased for \$25,000, and a new home for the Kearny Branch Public Library was a reality.

Despite the addition in 1922 of a mezzanine floor, continued growth of the town and in the number of library patrons and increased library services to the public made enlargement of the facilities mandatory. The Library Board of Trustees recommended to the Mayor and Town Council that an addition to the original building be made, which recommendation met with town-wide approval and authorization to so do by the town authorities. Work was begun September 7, 1928 and completed in the Fall of 1929 on a new wing extending the building through to Chestnut Street, with a separate

entrance on Chestnut Street, giving approximately four times the ground space of the original building and ten times more floor space. The addition cost \$135,000. The enlarged library was formally opened to the public on February 27, 1930. The spacious building became the meeting place for many town groups and organizations, for flower shows and exhibits. During World War II classes in First Aid and Home Nursing under the direction of the American Red Cross were held there. Kearny Library still assists the American Red Cross as the dispensary of its wheel chairs, crutches and other equipment for the ill or injured, without charge. This service is much used and appreciated by local residents.

Kearny Public Library offers its facilities and many services to the community, sponsors children's story hours, summer reading programs, library orientation instruction for all local school children, up-to-date reference and encyclopedia manuals, and presents timely and interesting exhibits for the public.

During the Town of Kearny's Centennial Celebration in 1967, in honor of the town's famous Civil War Hero, Major General Philip Kearny, Board President John A. McLaughlin and the members of the library board dedicated and opened to the public on October 31, 1967 the "Gen. Philip Kearny Room" to house the collection of special books, artifacts and material on Gen. Kearny, the Town of Kearny, and the State of New Jersey. The room is reminiscent of the General's mid-victorian era, the library's staff themselves hanging the specially selected paper and drapes. On its walls are paintings of General Kearny by local artists, sketches and pictures of historic buildings and areas of the town, and town and state maps. One of the most valuable exhibits is the original Commission to Gen. Kearny and First Lieutenant of the Dragoons signed by President James K. Polk. The document had been in the Kearny family for many years and was presented to the town during its Centennial by Gen. Phil's Great-Granddaughter, Mrs. Phillip Bowers of Fair Haven, New Jersey, at a luncheon honoring the General's Birthday.

Another gift to the Kearny Library received during the town's Centennial Celebration came from the Women's Club of Arlington, formerly the Arlington Literary Club, founder of Kearny's first circulating library in 1895. On March 14, 1967 the local Club presented a Recordak Microfilm Reader, together with \$500, to start a Microfilm Tape Library, which was received by Board President McLaughlin on behalf of the library. The following year the Woman's Club added to the Microfilm Library and on hearing of its need for an Overhead Projector to aid pending orientation classes, presented the library with this instruction aid.

In March, 1969, the Town of Kearny dedicated the Town of Kearny Memorial Book collection to perpetuate the individual memory and name of the 257 Kearny Men who gave their lives for this country in World War I, World War II, Korea and Vietnam. Each Memorial Volume carries on a special Memorial Bookplate the name and, where obtainable, a short biography of the serviceman it honors. As any Memorial Book wears out, a new copy will replace it with the same serviceman's Memorial Bookplate reinserted, thereby making the Collection a Living Memorial Through Books to Kearny's Honored Dead. Kearny Free Public Library was selected by the town officials for the safekeeping and care of this special Collection, the books being available to the borrowing public on presentation of a library card. A list of the 257 Honored Dead and the book dedicated to his memory is available at the Library's Main Desk.

At the dedication of the Memorial Book Collection, a Korea-Vietnam Honor Roll Plaque with bronze plates inscribed with the name, war and date killed in combat of

Kearny men lost in these two conflicts was presented jointly by the United Veterans Organization and Kearny Library Trustees. The Plaque was to be hung in Kearny Library above the special bookcase containing the Town of Kearny Memorial Volumes.

On Memorial Day 1970 the United Veterans Organization and Mayor Anthony Cavalier of Kearny placed a wreath of living flowers during a UVO Memorial Service at this Honor Roll Plaque which at present is Kearny's only Memorial to the men who gave their lives for this country in Korea and Vietnam. This Memorial Day Service and the placing of the Wreath at the Memorial in the library will be done annually on May 30th by the Veterans Organization.

On June 2, 1970, the permanent exhibit of the late Harold S. Latham's "Gone With the Wind Collection", printed in twenty-five languages, was honored and opened to the public at an Open House in "The Gen. Philip Kearny Room". Mr. Latham, a noted local author and publisher, had willed that on his death this Collection, together with other outstanding books from his private library, should be given to Kearny Public Library. Mr. Latham was a Vice President of MacMillan Publishing Company of New York City and the "discoverer" of Margaret Mitchell of Atlanta, writer of the famous book which has become an equally famous movie, "Gone With the Wind".

A recent acquisition of Kearny Public Library, and now part of its historical material in "The Gen. Kearny Room", is a Tape-Recording of an hour long radio broadcast over Station WCOU, the program being "Kearny: 100 Years of Progress", during the 1967 celebration. It includes a commentary on Kearny's early history by Mrs. Walter C. Hipp, highlights of the Centennial by former Mayor Joseph M. Healey, a report by Dr. Edmund L. Tink on the first Inter-Faith Church Service initiated during the Centennial, and Mrs. Catherine Crane, Principal of Garfield School, Kearny, on what the schools did in celebrating the 100th Birthday of the town.

Another document helpful and interesting to Kearny-History-researchers to be found in "The Gen. Kearny Room" is a large Scrap Book entitled "Town of Kearny" kept by Mrs. Hipp when a Kearny Centennial Commission member. It is an indexed file of information and clippings on the participation in Kearny's Centennial Program by local groups and organizations, with photographs of events, parades and dedications held during the Anniversary Year. It includes material on early Kearny history and growth, biographical information on General Kearny, articles on the town printed in newspapers during the Centennial and reminiscences of old residents.

Other rare publications now on file, for reference only, in "The Gen. Kearny Room" include "Picturesque Arlington", with views of Kearny in the early 1900s and paragraphs on some of the town's early and prominent citizens. Another now very rare booklet contains sketches of historic buildings, homes and sites in Kearny done by the late William C. Brigham, local artist.

From its humble beginning as a circulating library in the office of the local newspaper in 1895 to 1970, with its modern equipment and increased staff, Kearny Free Public Library has an interesting history it can well be proud of.

Kearny's Library Directors:
1907-10—Miss F. Edna KilGour.
1910-39—Miss M. Belle KilGour.
1939-57—Mrs. Ruth W. Thiel.
1957-66—Mrs. Elisabeth K. Woodland.
1966-68—Mrs. Helen Donnelly, Acting Director.

1968-69—Mrs. Flora Ingalls.
1969—Miss Erika Schnurmman.
1970 Kearny Library Board of Trustees:
John A. McLaughlin, President.
James Testa, Vice President.

Mrs. Walter C. Hipp, Secretary.
Hilton H. Hodges, Treasurer.
Miss Maureen Vincent.
The Honorable Anthony Cavalier, Mayor, Ex-Officio.
Dr. Robert E. Mulligan, Supt. of Schools, Ex-Officio.

PRESIDENT NIXON'S VETO OF THE FAMILY PRACTICE OF MEDICINE ACT

The SPEAKER pro tempore (Mr. MILLS). Under a previous order of the House the gentleman from Hawaii (Mr. MATSUNAGA) is recognized for 10 minutes. (Mr. MATSUNAGA asked and was given permission to revise and extend his remarks and to include extraneous matter.)

Mr. MATSUNAGA. Mr. Speaker, President Nixon by announcing last Saturday, December 26, 1970, that he was "pocket vetoing" the family doctor training bill, has raised serious questions as to whether or not that bill actually became law without his signature.

The President's authority of pocket veto was obviously intended by the framers of our Federal Constitution to be exercised during that period after the Congress adjourns the session, and not, as in this instance, where both the Senate and the House recess for a few days to reconvene on a day certain and continue the session. The President knew when he made his unprecedented announcement that the Congress had only recessed for a few days in observance of the Christmas holidays and would resume the session this week. He knew too that the Secretary of the Senate and the Clerk of the House had been duly designated by the Senate and House respectively to receive messages from him during the recess.

Why then did President Nixon not choose to exercise his regular veto power and return the bill to the Congress within the required 10-day period after receiving it? Could it not be that in the light of the fact that the Senate had passed the measure with only one dissenting Member and the House with only two negative votes, he did not wish to suffer the embarrassment of an override of his veto?

I strongly believe that President Nixon's so-called pocket veto of the family doctor training bill was totally ineffective and invalid. Having received the bill for his signature on December 14, 1970, he was under a legal duty to return the bill to the Congress, with or without a veto message, on December 25, 1970, within the required 10-day period—excluding Sunday—in order to exercise his veto power effectively. By failing to do this, the President may have allowed the family doctor training bill to become law without his signature.

As a cosponsor of the House measure on the training of family doctors, I call upon the chairman of the House Committee on Interstate and Foreign Commerce to seek a court ruling if necessary, to settle this most important question.

IN SUPPORT OF RESOLUTION CONDEMNING LENINGRAD TRIALS

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from New York (Mr. HALPERN) is recognized for 5 minutes.

Mr. HALPERN. Mr. Speaker, I was privileged today to join with the distinguished chairman of the Judiciary Committee and the dean of the House, the able and beloved EMANUEL CELLER, in cosponsoring a briefing in the House Judiciary room on the Leningrad trials and the growing crisis of Soviet anti-Semitism.

This emergency meeting was held jointly with representatives of the Conference of Presidents of Major American Jewish Organizations and the American Jewish Conference on Soviet Jewry. Many of our colleagues, representing a cross section of religious, political, and geographic backgrounds, participated fully in this session.

An up-to-the-moment briefing was presented to the gathering by Dr. William Korey and a most enlightening question-and-answer period and discussion followed. The consensus, as reflected by minority leader GERALD FORD and Dr. THOMAS MORGAN, chairman of the Foreign Affairs Committee, was to agree with the Senate resolution and, further, to introduce a House resolution sponsored by bipartisan leadership. The following resolution was proposed for introduction today. This unanimity of support reflects the feeling of the American people about the inhuman miscarriage of justice in Leningrad. This feeling reflects the conscience of an outraged world over these recent developments. It is not conceivable that Russia would turn her back on this wide expression of world opinion.

Hence, all of us at every level must be relentless, not only in calling for a commutation of the death sentences issued by the Leningrad court and for clemency to the victims of injustice, but we must continue to highlight the plight of the Russian Jews and the inhumane Soviet policies toward these persecuted people, particularly the inequitable policy of denying permission to Jews who wish to emigrate to Israel and other countries.

For the edification of those who could not attend today's briefings, I would like to give you the highlights of Dr. Korey's presentation. He likened the Leningrad trial to the 1953 persecution of Jews in the Soviet Union. At that time, the Soviet kangaroo court was exposed and the charges were found to be based on a tremendous hoax. The present trial is not too different. The facts clearly indicate entrapment by the Soviet officials.

Dr. Korey described this trial and four other trials which are scheduled to be held as a manifestation of Soviet efforts to stop the burgeoning growth of Jewish pride. He described this most significant movement as one that is, interestingly, dominated by 20- and 30-year-old people—individuals who have had relatively little Jewish heritage in the traditional sense.

This movement has resulted in tens of thousands of visa applications being sent to Soviet emigration officials as well as more than 200 petitions—all signed by Jews who gave their name and address. Most of the petition signers have lost their jobs and suffered other persecution, but they seem willing now to take these

risks. Several years ago, they would have remained silent.

There are three basic reasons for the new "Jewishness is beautiful" movement in the Soviet Union, according to Dr. Korey. First, unlike the other 108 nationalities the Jews are not permitted any self-identity. They may have no separate newspapers, no separate schools, and no other manifestation of separateness—despite the fact that Russian Jews number approximately 3 million and are the 11th largest of the Soviet ethnic groups. The second reason for the movement is the fact that Soviet officials have come to regard the Russian Jews as part of an "international Zionist conspiracy" and are using this rationale to apply many modes of persecution against the Jews. The last reason for this movement is the desire on the part of Russian Jews to reunify their families—families which were broken up during World War II by the Nazis and which are now scattered all over the world.

In the discussion that followed, it was generally agreed that joint House and Senate action would bolster the President in any steps he might take to resolve this matter. But more important, it was agreed that this Congress, representing as it does the opinions of all Americans, should become a part of the worldwide attention and reaction that has resulted from the Leningrad trials.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. 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. Nearly 30 percent of all American households are two-car families. This is almost double the number 10 years ago. Eighty percent of American families own at least one automobile.

SOVIET CONVICTION OF JEWS ACCUSED OF HIJACKING AIRCRAFT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from New Jersey (Mr. SANDMAN), is recognized for 5 minutes.

Mr. SANDMAN. Mr. Speaker, the recent action by the Soviet Union wherein two persons have been sentenced to death and others given long prison sentences for the alleged conspiracy to hijack a Soviet airplane is an affront to the democratic processes of judicial procedure. Never before in modern history in any democratic society has any court given the death sentence to any defendant for the conspiracy to commit a crime that has never been committed.

Members of the Jewish faith throughout the world are justifiably alarmed over this incident since almost all of the accused are of the Jewish faith and the two that are sentenced to death are of the Jewish faith. The purpose of the

alleged hijacking was to flee from the Soviet Union to Israel.

Hijacking of an aircraft is a serious matter. In this country we have already experienced too much of that. I am a cosponsor of legislation in Congress to deal with this matter. That legislation, I think, is indicative of the thoughts of the Congress that the hijacking of an aircraft should be considered to be a crime, carrying with it appropriate penalties.

The death sentence is not an appropriate penalty for the commission of any crime other than first degree murder or high treason during the time of war. The world knows very little about the case in the Soviet Union to which I am referring with the exception that the accused were conspiring to steal an airplane and flee to the State of Israel—the airplane being a 12-seat craft. So far as we know, the aircraft was not stolen, no one suffered any bodily harm nor was there any property damaged inflicted anywhere by the accused. In fact, the aircraft never left the ground. Under these circumstances, the death penalty is totally unreasonable and should not be executed.

I would like to believe that this is not an act of aggression by the Soviet Union against members of the Jewish faith; however, the circumstances do not warrant such a conclusion. The Jews more than any other group of people have been persecuted throughout history. In every case, such action has led to the downfall of the aggressor.

Our purpose here today is not to review history, but to appeal to the good conscience of those in authority in the Soviet Union, to reverse the harsh penalties that have been meted out to the accused in this matter. These remarks I will make on the floor of the Congress of the United States today and request all Members to join in a resolution supporting these statements as a sense of the Congress.

REPORT ON THE ACTIVITIES OF THE COMMITTEE ON MERCHANT MARINE AND FISHERIES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Maryland (Mr. GARMATZ) is recognized for 20 minutes.

Mr. GARMATZ. Mr. Speaker, the second session of the 91st Congress has been one of the busiest, and if I might say so, one of the most productive in the long history of our committee. I think it appropriate as we close out our business for the year that I outline some of the outstanding achievements of our committee during the year 1970.

First and foremost was our work on the new maritime program, submitted to the Congress by the President in October 1969. It has been recognized for a number of years that our merchant marine had declined to a point where our national security was in jeopardy. Over two-thirds of our merchant ships were obsolete World War II vessels. The provisions of the Merchant Marine Act of 1936 were generally recognized to be obsolete and outdated. Studies by the executive branch and hearings before congressional committees over the past several years had suggested ways and

means of correcting these deficiencies, but time after time legislation to accomplish the intended purpose was stymied or sabotaged.

Meanwhile, the Soviet Union had launched a tremendous shipbuilding program, and each year its maritime prestige grew greater and greater. Most of its merchant vessels were under 10 years of age. And it was recognized that Russia was using its merchant marine not only to enhance its own foreign commerce, but to acquire political prestige, particularly among the smaller nations of the world.

The new program called for:

First. The construction of 30 new highly productive ships a year over the next 10 years.

Second. A reduction over the next 5 years of the Government's contribution by way of construction-differential subsidy from 50 percent of the cost of the vessel to 35 percent.

Third. Payment of the construction-differential subsidy directly to the shipyard.

Fourth. Extension of construction-differential subsidies to bulk carriers.

Fifth. Extension of operating-differential subsidies to bulk carriers.

Sixth. Changes in existing law with respect to operating-differential subsidies principally providing for computation of the wage subsidy on an index basis.

Seventh. Elimination of the recapture provision of the Merchant Marine Act of 1936.

Eighth. Extension of tax-deferment benefits previously permitted for subsidized operators to all qualified ship operators in the foreign trade.

Ninth. Creation of a commission to review the status of the American shipbuilding industry and its progress toward increasing productivity and reducing costs.

Tenth. An increase in the present \$1 billion ceiling on mortgage and loan insurance to \$3 billion.

As the committee proceeded to consider this legislation, numerous hearings were held and views were solicited from all segments of the industry—labor and management—as well as from all interested agencies of the Government. All in all, approximately 100 amendments were proposed—some dealing with form and some with substance. Among the more important amendments adopted by the committee were:

First. Extension of tax benefits to operators in the noncontiguous trades, the Great Lakes and the fisheries.

Second. Recognition of the Great Lakes as the fourth seacoast of the United States.

Third. Inclusion of a "grandfather clause" to permit owners, operators, and so forth, of foreign-flag bulk vessels to participate in the new program and yet retain their foreign-flag vessels for a period of 20 years.

Fourth. Rejection of the administration proposal to impose restrictions on the future trading areas on vessels built with construction-differential subsidy and operated without operating subsidy.

Fifth. The adoption of the administration proposal to liberalize the "Buy American" restrictions of the 1936 act.

This change was, however, rejected by the conferees in working out the final version of the bill.

Sixth. Inclusion of a provision—not in the administration bill—to permit subsidy for maintenance and repairs.

The bill passed the House on May 21, 1970, by a vote of 307 to 1. It later passed the Senate on September 17, 1970, by a vote of 68 to 1. The bill was signed by the President on October 21, 1970, and is known as the Merchant Marine Act of 1970.

Early in the year, information came to the attention of the committee that the Secretary of the Treasury had rendered a decision waiving the Jones Act in favor of the Liberian-flag tanker *Sansinena*. This was a vessel built in the United States but put under Liberian registry and operated in the foreign trades. It was owned by a subsidiary of Union Oil Co. which requested permission to place the vessel under the American flag and to operate in the domestic trades of the United States. In order to grant such permission, it was necessary to waive the provisions of the Jones Act, which codifies laws dating back to 1790 to protect domestic shipping.

As chairman of the committee, I scheduled a hearing to ascertain the basis for this action by the Secretary of the Treasury. However, on the morning of the day of the scheduled hearing, the committee was informed by the Secretary of the Treasury that he was suspending the waiver action and that a thorough review of the circumstances would be made by the executive branch of the Government.

In August 1970, the Treasury Department permanently canceled its waiver of the restrictive provisions of the Jones Act with respect to the tanker *Sansinena*.

Other legislation in the merchant marine field which was reported out by the committee during the year included the sale of the passenger vessel *Atlantic* (H.R. 16498); a bill to authorize greater cooperation between agencies of the Federal Government and the United Seamen's Service (H.R. 15549); and a bill to authorize construction and operating subsidies for vessels operated under a lease arrangement (H.R. 15549).

The Subcommittee on Oceanography, under its distinguished chairman, the Honorable ALTON LENNON, was particularly active throughout the year. Extensive hearings were held on a bill affecting the organization of the Government in the field of marine and atmospheric science and technology. Subsequently, the President transmitted to the Congress Reorganization Plan No. 4, July 9, 1970, establishing a National Oceanic and Atmospheric Administration within the Department of Commerce. The subcommittee considered this plan and determined that the President's proposal was an acceptable alternative to H.R. 13247. Both Chairman LENNON and Congressman CHARLES A. MOSHER, the ranking minority member of the subcommittee, testified in support of Reorganization Plan No. 4 before the Committee on Government Operations.

Other bills engaging the attention of the subcommittee during the year were H.R. 16607, to extend the life of the National Council on Marine Resources and

Engineering Development for a period of 1 year; and H.R. 11766, to provide funding authorization for fiscal years 1971 through 1973 for the sea grant college program.

The Subcommittee on Oceanography held extensive hearings into the circumstances surrounding a decision by the Department of Defense to dump nerve gas rockets into the sea off the coast of North Carolina. As a result of the hearings, the subcommittee received assurance that no further dumping of noxious gas will take place in the oceans.

The subcommittee also held hearings with respect to the deliberate dumping of waste oil by the U.S. Navy off Mayport, Fla. It was ascertained that the Department of the Navy had not complied with the National Environmental Policy Act of 1969 by reason of its failure to file an environmental impact statement. As in the case of the nerve gas hearings, these hearings further highlighted the fact that much needs to be done to educate Government personnel not only with respect to the mandate of the National Environmental Policy Act but as to the necessity for the Federal Government to take the lead in the national effort to improve the quality of our environment.

Finally, the committee held a briefing on the project known as Tektite II. The experiences of the male and female aquanauts who spent months on the ocean floor carrying out various scientific studies were fully described. This very successful undertaking constituted an important breakthrough in the efforts of our Government to gain scientific knowledge concerning the oceans.

The Subcommittee on Panama Canal, under the chairmanship of the Honorable LEONOR K. SULLIVAN, visited the Canal Zone in 1970, in order to get a firsthand view of the current problems and operations of the Panama Canal. Subsequently, the subcommittee held a hearing on the projection of the canal traffic and tolls. Governor Leber gave the subcommittee a very optimistic picture on the economic future of the Panama Canal. In late November, the subcommittee issued a report on the Panama Canal indicating to all parties that the Congress looked with disfavor and is avidly opposed to the three 1967 treaties or any other treaties which would result in ceding U.S. sovereignty and jurisdiction over the Canal Zone to the Republic of Panama. It was further stated that future treaty negotiations cannot be premised on the assumption that the Congress will authorize the construction of a new sea-level canal.

The principal activity of the Subcommittee on Maritime Education and Training, under the chairmanship of the Honorable THOMAS N. DOWNING, involved the problem of various facilities now providing training for merchant marine officers. The Maritime Academies on the one hand are asking for increased Federal contributions, largely to offset rapidly increasing costs of education, whereas the Maritime Administration on the other hand has proposed reductions in contributions, largely due to the shrinkage in the fleet and a projected oversupply of officers.

It is expected that the subcommittee will further pursue this matter shortly after the opening of the 92d Congress.

The Subcommittee on Coast Guard, Coast and Geodetic Survey, and Navigation is under the able chairmanship of the Honorable FRANK M. CLARK. The first important activity of this subcommittee during the past year was the consideration of legislation to authorize appropriations for the procurement of vessels and aircraft and the construction of both shore and offshore establishments for the Coast Guard for fiscal year 1971. The largest single item in the bill was an authorization of \$59 million for the construction of the first of a series of polar icebreakers. The failure of the Coast Guard icebreaker *Northwind* to complete the transit of the Northwest Passage with the tanker *Manhattan* brought home forcibly the need for an immediate replacement of the present obsolete polar ice breakers. Another item of great significance in the authorization bill covered the procurement of pollution control equipment.

Extensive hearings were held both in Washington and at other cities throughout the country on a bill which would provide for a coordinated national boating safety program. One purpose of the bill is to improve safety in recreational boating by requiring manufacturers to build such boats in accordance with performance standards prescribed by the Coast Guard. The other important aspect of this legislation is to provide Federal funds to promote boating safety programs at the State level. This bill was reported out by the full committee on October 6, 1970, and passed the House on December 7, 1970.

Many days of hearings were consumed in the taking of testimony on a bill to promote the safety of ports, harbors, waterfront areas, and the navigable waters of the United States. This legislation was in fact proposed by the President in his

oil pollution message to Congress under date of May 20, 1970. In the course of the hearings, it became clear that while the industry supported the bill in principle, there was violent opposition to the broad authority, without statutory guidelines, which would have been conferred upon the Coast Guard under the bill. The Coast Guard is now working on a new bill which hopefully will be submitted to the committee and receive early consideration in the 92d Congress.

Other matters engaging the attention of the subcommittee during the year involved a proposal to transfer responsibility for the Coast Guard Reserve to the Secretary of Defense; a bill to improve and clarify certain laws affecting the Coast Guard; and most significantly, the attempted defection of a Lithuanian national from a Soviet vessel in the vicinity of Martha's Vineyard off the coast of Massachusetts, on November 23, 1970, involving the Coast Guard cutter *Vigilant*.

As has been the case in recent years, the Subcommittee on Fisheries and Wildlife Conservation, chaired by the Honorable JOHN DINGELL, was extremely active during the second session of the 91st Congress. Indeed, it was perhaps the most active of all the subcommittees within the Committee on Merchant Marine and Fisheries. A mere recitation of the variety of bills and oversight matters which were the subject of hearings before this subcommittee is a clear illustration of the intensive work that is being done in the areas under its jurisdiction. Among the various items are the Anadromous Fish Conservation Act; Federal aid to fish and wildlife restoration acts; jellyfish control program; fisheries loan program; penalties for illegal fishing in fishery zone; hunting from aircraft; Water Bank Act; national environmental data system; migratory waterfowl regulations; investigation of proposed reduction in fisheries research activities; and

numerous other bills having to do with fisheries and wildlife.

Probably the most significant of the oversight hearings conducted by the Subcommittee on Fisheries and Wildlife Conservation were those connected with the administration of the National Environmental Policy Act of 1969, enacted into law January 1, 1970. Recognized as one of the most important conservation laws ever enacted by the Congress, the act created a Council on Environmental Quality which has broad and independent review of current and long-term trends in the quality of our national environment. It also has the responsibility of assisting and advising the President in the preparation of the annual environmental quality report, which is required to be submitted to the Congress in July of each year.

For the past several weeks, the subcommittee has conducted a series of intensive hearings on the effectiveness of the council and of the various concerned Federal agencies to comply with the law, especially with respect to the filing and public distribution of environmental impact statements. I think the subcommittee's oversight activities in this regard are indicative of the subcommittee's determination to see that the act is properly and fully implemented.

Attached hereto is a table reflecting the number of bills reported by the Merchant Marine and Fisheries Committee during the second session of the 91st Congress.

Finally, I wish to take this opportunity to express my sincere thanks to all of the members of the committee on both the majority and minority sides who gave so generously of their time to carry forth the committee programs. I sincerely believe they are deserving of the gratitude of the entire Congress for devoting untold hours to the business of the committee, while carrying on the heavy everyday duties of their congressional offices.

BILLS REPORTED BY MERCHANT MARINE COMMITTEE—91ST CONGRESS, 2ND SESSION

Bill No.	Title	House Report No.	Senate Report No.	Public Law No.	Bill No.	Title	House Report No.	Senate Report No.	Public Law No.
H.R. 212	To provide for the appointment, promotion, separation, and retirement of commissioned officers of the Environmental Science Services Administration, and for other purposes.				H.R. 15041	To provide for a coordinated national boating safety program.	91-1611	(c)	-----
H.R. 1049	To amend the Anadromous Fish Conservation Act of Oct. 30, 1965, relating to the conservation and enhancement of the Nation's anadromous fishing resources, to encourage certain joint research and development projects, and for other purposes.	91-1633	(1)	-----	H.R. 15188	To amend the Fish and Wildlife Act of 1956 to provide a criminal penalty for shooting at certain birds, fish, and other animals from an aircraft.			
S. 1075	National Environmental Policy Act of 1969.	91-808	91-808	91-249	H.R. 15424	To amend the Merchant Marine Act, 1936.	91-1632	91-1482	-----
S. 3153	To authorize the Secretaries of Interior and the Smithsonian Institution to expend certain sums in cooperation with the territory of Guam, the territory of American Samoa, the Trust Territory of the Pacific Islands, other U.S. territories in the Pacific Ocean, and the State of Hawaii, for the conservation of their protective and productive coral reefs.	91-765	91-296	91-190	H.R. 15549	To further the effectiveness of shipment of goods and supplies in foreign commerce by promoting the welfare of U.S. merchant seamen through cooperation with the United Seamen's Service, and for other purposes.	91-1073	91-1080	91-469
H.R. 11766	To amend title II of the Marine Resources and Engineering Development Act of 1966.	91-1191	(1)	91-349	H.R. 15694	To authorize appropriations for procurement of vessels and aircraft and construction of shore and offshore establishments for the Coast Guard.	91-1404	91-1424	-----
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.	91-1272	91-1289	91-503	H.R. 15770	To provide for conserving surface waters; to preserve and improve habitat for migratory waterfowl and other wildlife resources; to reduce runoff, soil and wind erosion, and contribute to flood control; and for other purposes.	91-879	91-846	91-261
H.R. 12943	To amend sec. 2 of the act of Nov. 2, 1966, to extend for 3 years the authority to make appropriations to carry out such act.	91-1192	91-1248	91-451	H.R. 15945	To authorize appropriations for certain maritime programs of the Department of Commerce.	91-1307	91-1393	91-559
H.R. 14124	To amend sec. 4 of the Fish and Wildlife Act of 1956, as amended, to extend the term during which the Secretary of the Interior can make fisheries loans under the act.	91-1273	91-862	91-387	H.R. 16498	To permit the sale of the passenger vessel "Atlantic" to an alien, and for other purposes.	91-865	91-837	91-247
H.R. 14678	To strengthen the penalties for illegal fishing in the territorial waters and the contiguous fishery zone of the United States, and for other purposes.	91-1430	91-1320	91-514	H.R. 16607	To amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development.	91-1622	(1)	(1)
					H.R. 17436	To amend the National Environmental Policy Act of 1969, to provide for a National Environmental Data Bank.	91-1387	91-1008	91-414
					H.R. 19576	To establish the National Advisory Committee on the Oceans and Atmosphere.	91-1629	(c)	-----
							91-1636	(c)	-----

¹ Passed Senate.
² No action.

³ No floor action.
⁴ Private Law 91-221.

THE LENINGRAD TRIALS AND THE JEWISH PROBLEM

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. MIKVA) is recognized for 10 minutes.

Mr. MIKVA. Mr. Speaker, I am hardly a defender of the czarist regimes in Russia, but if the present policies of the Soviet Union had prevailed in that yesteryear of the czar, I would not be here, and many others whose forebears found freedom in this land would not be here. The refusal of the Soviet authorities to accede to the ancient Jewish lament to "let my people go" is a monument to the short memories of the Soviets. Have they forgotten the major role that oppression of the Jews played in causing their own revolution. Yet even that oppression stopped at the point of holding as unwilling hostages the Jews who were damned if they stayed in their native land. Only Hitler's Germany twisted the screws to preclude emigration as vigorously as they precluded life.

The Soviets seem not to remember how they condemned the German policy of Hitler. They stand in that awesome shadow of Hitlerism, however, as one contemplates the judicial coinage of the Leningrad trials. Those trials, Mr. Speaker, raise the awful specter that the Jews will be killed and jailed even as they are denied the right to leave—for as flimsy a charge as having thought about leaving.

No one defends hijackers. No one defends extremism, even in a noble cause. But the defendants in the Leningrad trials are charged with harboring thoughts that never were put into any structure for action. And any objective observer must at least suspect that the Russian solution to the Jewish question has its antecedents in Nazi harshness.

There are some 3 million Jews in the Soviet Union. Many, if not most, desperately seek and need the hope of emigration to Israel. If the Soviet Union persists in its present policies, that hope is destroyed. Too many generations of Jews have lived and died without hope for the Russian Jews to lightly turn away from their hope.

As one of the defendants said in his defense, the question of whether these defendants did or did not think about seizing an airplane to use for escape to Israel was only relevant, because the Soviet authorities have consistently refused exit visas to Jews.

Jews all over the world are at the Walling Wall. They first seek to persuade the Russians to respect the fundamental processes of law which do not stop at national borders. The convictions should be thrown out altogether. At the very least, the harsh sentences, including the death penalties, should be ameliorated.

The anguished cries, however, will not cease until the Soviet rulers pay heed to that even more ancient cry "Let my people go."

THE OAKLAND CHINATOWN PROJECT

The SPEAKER pro tempore. Under a previous order of the House, the gentle-

man from California (Mr. COHELAN) is recognized for 5 minutes.

Mr. COHELAN. Mr. Speaker, last week, with my distinguished colleague from California (Mr. MILLER) I introduced a bill to provide for the extension of local noncash grants-in-aid for the Oakland Chinatown project.

I realize that it is late in the session but I desired to introduce this bill so that this matter would be given immediate consideration in the 92d Congress. The lack of available urban renewal funds requires that this extension be granted because without it a valuable urban renewal project will be lost.

The city of Oakland has sought Federal renewal assistance for its Chinatown project through four different applications, the first of which was submitted on October 18, 1966. As the local noncash grant-in-aid for the Chinatown project, the city has anticipated relying on the extensive expenditures of local taxpayers to build the Bay Area Rapid Transit System—BART. Each application has thus far failed to receive Federal assistance because of the shortage of Federal renewal funds. The city's present application pared down the project to the essential four block core that could create a new Chinatown center in our community. A correspondingly reduced Federal capital grant request of \$7.5 million was to have been supported by local noncash grants-in-aid in the amount of \$2 million from the downtown BART subway station. We now face the prospect that the grant-in-aid which the station generates for the Chinatown project will be lost if the project is not funded by February 1971. HUD officials are quite pessimistic regarding the availability of funds for Chinatown before the local grants-in-aid expiration date.

The BART system is probably the most important national example and demonstration of metropolitan efforts toward improved urban transportation. Residents of Bay area communities have shown leadership and a readiness to provide local funds to build this system. It is unthinkable that the Congress would fail to take the steps necessary to insure that the maximum "spin-off benefit" is obtained from these local tax dollars as matching credits for Federal renewal assistance. It is absolutely essential that Congress provide the national recognition which this effort clearly warrants by granting a legislative extension of the eligibility of the rapid transit system credits for Oakland's Chinatown project.

Measured by national goals, the Chinatown project deserves priority treatment. The project will offer approximately 1,700 new employment opportunities, especially of an entry-level nature. The Agency expects to continue its history of a strong affirmative action program to insure that this job potential is fully realized. The project will also create more than 250 new housing units, of which the majority will be low- or moderate-income housing. This combined effort will make a balanced contribution to achieving national goals in housing and employment.

The distinctive ethnic character of the Chinatown project further implements national goals by integrating the cultural richness and variety of Oakland's Chinese community with the thrust of economic and environmental turnaround which has been commenced in the city center project. Chinatown will serve as an example to other ethnic groups in Oakland, including Japanese, Spanish-speaking, and Filipino Americans, of the kind of sociocultural commercial clusters that can be developed in and around the Central District area as an integral part of the revitalization of Oakland's downtown. It is anticipated that Chinatown's direct proximity to the city center project will permit the city to interrelate commercial development in the two projects in a way which will reflect a very special flavor and complementarity.

The Chinese community in Oakland has worked unflinchingly to make the Chinatown project a reality. In 1965, a committee of interested citizens provided \$10,000 in private funds to finance a feasibility study for the project and to establish a design framework for new development. As the community realized that the severely deteriorated properties could give way to a vital center for housing and commercial activities, a broad diversity of people contributed their efforts to planning the project.

This unprecedented community support has been matched by efforts of the city council, which encouraged and authorized the four applications submitted for the Chinatown project. Early this year the council refused to authorize a project for the Wilshire Heights slide disaster area because an additional project would compete with Chinatown for Federal funding.

For these reasons, Mr. Speaker, I urge that this bill be given the highest priority in the next Congress. For the information of my colleagues I insert a copy of this bill:

H.R. 20010

A bill to provide that certain expenses incurred in the construction of a rapid transit station in Oakland, California, shall be eligible as local grants-in-aid for purposes of title I of the Housing Act of 1949

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, notwithstanding the date of the commencement of construction of the Twelfth Street Bay Area Rapid Transit Station in Oakland, California, local expenditures made in connection with the construction of such station shall, to the extent otherwise eligible, be counted as local grants-in-aid toward the Chinatown Urban Renewal Project (California R-116) in accordance with the provisions of title I of the Housing Act of 1949.

BIG BANKS TO REPORT RECORD PROFIT FIGURES

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the Record and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, in recent weeks, many of the large commercial banks have been getting large headlines about their reductions in the prime lending rate.

We all welcome these reductions, but they hardly come from altruistic reasons.

The truth is that most of these large banks are wallowing in some of the fattest profits in their history, and the interest rate reductions are designed to minimize some of the embarrassment when the yearend earnings are reported.

Last week, the Wall Street Journal surveyed the big banks and came to the conclusion that the 1970 earning figures will be recordbreakers for many of these banking giants. These profit figures show just how painless the interest rate reductions have been for the big banks.

Mr. Speaker, I place in the RECORD an article from the December 23 issue of the Wall Street Journal:

FATTER PROFITS: EARNINGS OF MANY MAJOR BANKS ARE RISING AS THEIR BORROWING COSTS DECLINE SHARPLY

(By Edward P. Foldessy)

NEW YORK.—Despite a wave of price cutting on their most important product, money, the nation's banks are racking up a record year in earnings.

The outlook may seem paradoxical in light of a swift series of reductions in the banks' prime rate, the most recent one a quarter-percentage-point reduction just yesterday (see story on page 3.) This key lending charge, the basis of most other commercial bank loan rates, now has been reduced in five steps from a record 8½% as the year started to 6¾%.

The banks' earnings outlook stands in sharp contrast to the generally bleak forecasts being made for 1970 corporate profits. While many companies are trimming or omitting dividends in response to sagging earnings, many banks across the country are increasing their cash payouts and declaring stock dividends.

The explanation isn't terribly complex. Commercial banks are middlemen—they prefer to be called "intermediaries"—between people who have money to spare and people who need money. The banks pay interest to borrow money from people and institutions that have it and charge interest when they relend it to others. And they make their profit on the fluctuating difference between the rate they pay and the rate they charge, the spread.

A TWO-POINT SPREAD

Despite declines in the prime rate, the spread in recent months has been unusually wide, sometimes as much as two percentage points, because the average cost of funds raised by banks has come down even faster. Rates in the short-term money market, usually where banks get their money, are more responsive to changing conditions of the supply and demand for credit than the prime rate is. In recent months, the Federal Reserve System's moderately expansive policy toward money supplies, plus slackening demand for short-term credit, has sent these rates plummeting.

The rate on Federal funds, a major source of short-term money for big banks, has dropped to a trading range of around 5% from over 9% early this year. "Federal funds" is the money market designation for excess reserves lent by some banks to other banks that need additional reserves; the money is usually lent overnight in very large amounts. Banks are required to set aside assets, called reserves, equal to a percentage of their customers' deposits.

Also, the banks' cost of borrowing, through their holding-company parents, in the commercial paper market has come down sharply this year. It now is running around 5.5% to 6%, down from 8.5% to 9% earlier in the year.

Most significantly, major banks have been able to raise billions of dollars by issuing negotiable certificates of deposit at rates well under the prime rate. Certificates of deposit represents deposits of \$100,000 or

more left with the banks, usually by corporations, for a specified period of time at a specified interest rate.

OTHER INCOME

Another major source of borrowed funds for the banks, Eurodollar deposits at their foreign branches, still command relatively high interest rates. However, the banks have sharply reduced their dependence on this source of money in recent months.

Looking at the money market as a whole, analysts say the spread between the cost of funds borrowed by banks and the rates they charge on loans was narrow at the beginning of the year but widened sharply as the year went on.

In addition, bank analysts note that the prime rate is a minimum rate. It is the rate charged by banks on loans to their most credit-worthy customers. Other rates are scaled upwards from this level.

Therefore, a spread of, say, 1.5% between the prime rate and the average cost of funds borrowed by banks is a good bit wider if the banks' total loan portfolios are taken into account. For example, usually half or more of the banks' short-term loans to business borrowers are made at a rate greater than the prime rate. And rates on loans to consumers or on home mortgages are usually higher yet.

Also, of course, banks have income from sources other than loans. They gain revenues from interest yields on securities they hold and from fees and service charges for performing such functions as handling trust accounts and pension fund portfolios. In both areas, income is up sharply this year, bank analysts say, adding to the gain registered through the rate spread.

SOME ESTIMATES

Adding it up, analysts at Keefe, Bruyette & Woods Inc., a leading dealer in bank stocks, predict major commercial banks will post "an average per share earnings gain of about 8.5%" for 1970. The securities firm expects pre-share earnings on its "bank index" (24 banks) to rise to \$43.28 from last year's \$39.89.

Keefe expects money center banks—those in the major financial centers that rely heavily on borrowing in the money market—to post the greatest percentage gain for the year, 10.4%. Regional banks will show smaller gains, down to 2.4% for Western banks, for example.

"When interest rates go down, it tends to have a very favorable temporary impact on banks like ours," says William S. Renchard, chairman of New York's Chemical Bank, a money center bank. He expects the bank's earnings increase for the year to be "percentage-wise somewhat better than for the first nine months."

For the first nine months, Chemical, the bank subsidiary of Chemical New York Corp., reported net operating earnings before securities transactions of \$56.1 million, or \$4.18 a share, up 8.5% from the year earlier period. In 1969 the bank had operating net of \$68.8 million, or \$5.13 a share.

CHASE AND CITIBANK

Chase Manhattan Corp., which controls New York's Chase Manhattan Bank, has an even greater success story. With a hefty 37.1% jump in operating earnings for the third quarter, Chase could come up with a fourth quarter gain of as much as 28%, bank analysts say. For the year as a whole, analysts expect a gain of about 11% to 14% (the first half was sluggish) from 1969's \$114.6 million, or \$3.59 a share.

Not all banks, of course, will have such glowing figures. First National City Corp., parent of First National City Bank, New York's largest, could have an earnings gain of 8% for the year, William I. Spencer, president, said late in September. Spokesmen for the bank decline to update the figure now. Keefe-Bruyette however, sees a 6.1%

gain as more likely at this point. It forecasts 1970 per share earnings of \$5.10 to \$5.15 a share, up from \$4.83 in 1969, when net from operations totaled \$130.6 million.

Citicorp registered an 8.7% gain in the first nine months this year, posting earnings of \$101.4 million, or \$3.73 a share. But analysts note that the bank had an extremely strong 1969 final quarter, partly because of a revision in its accounting methods for income from foreign sources.

"The outlook for regional banks must be viewed as a mixed bag," says Keefe-Bruyette. It explains that "unlike money center banks, they aren't a homogeneous group; their reaction to the same set of circumstances varies considerably depending upon the structure of their assets and liabilities, as well as the attitudes of their managements."

One key distinction between money center and regional banks is on the interest-cost side of the ledger. Unlike money center banks, regional banks rely heavily on deposits for obtaining lendable funds. Market interest rate declines this year have been far steeper on borrowed funds than on deposits, giving the money center banks a cost edge. (The regionals, of course, enjoyed an advantage when rates were increasing.)

In light of the earnings outlook, the sluggish performance of bank stocks is puzzling analysts. New York City's five largest banking institutions—Citicorp, Chase, Manufacturers Hanover Corp., J. P. Morgan & Co. and Chemical New York—posted an average earnings increase of 10.8% in the first nine months of this year, in contrast to an 8.6% average profit decline for the nonbank corporations over the same period.

But, on average, stock prices of the five big New York banks rose less than 1% from early this year to mid-December. Over the same period the Dow Jones Industrial Average pushed upward by 4.4%.

Robert Chaut, an analyst for Kidder, Peabody & Co., offers two possible reasons for the poor showing of bank stocks. "The market has become optimistic as far as industrials are concerned and there's a more speculative attitude" growing in that area, he states. That, he says, has dried up buying interest of bank stocks.

Second, Mr. Chaut reasons that historically bank stocks don't seem to act as well as the market as a whole when prime rate cuts are "anticipated," as one was prior to yesterday's action.

The analyst is confident that "if history repeats itself, we believe stocks of banks, particularly those in money centers, will do better than the market as a whole."

Others figure the lackluster bank stock prices are at least partly caused by bankers themselves. "The damn problem is that bankers are scared; they always poor-mouth themselves," ventures one analyst, who asks not to be identified. "They're afraid to say how well they are doing; they worry more about Rep. Patman (a stern Congressional bank critic) than their own shareholders."

DR. BURNS SUPPORTS PROHIBITION AGAINST DIRECTOR INTERLOCKS

(Mr. PATMAN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. PATMAN. Mr. Speaker, for many years I have been deeply concerned about the growing tendency of banks and other corporations for maintaining common directorships.

These interlocking directors create all types of actual and potential abuses and are destructive to a free and competitive enterprise system. I am particularly concerned when these interlocks are main-

tained among financial institutions, a practice which is widespread across the Nation. Last June, I wrote the Chairman of the Federal Reserve Board, Dr. Arthur Burns, and urged him to take a careful look at the problem of interlocking directorates in the banking system. Last week, Dr. Burns reported that he had completed his investigation and I am happy to see that he endorses many of the proposed prohibitions against interlocks among financial institutions.

Dr. Burns' support is indeed welcome and I am sure that his position will be of great assistance in gaining passage of legislation in this area in the 92d Congress.

While I am happy to have Dr. Burns' support for many of these improvements, I think there are many other areas which must also be covered in any new legislation dealing with interlocking directors. Certainly, interlocking directors among financial institutions must be prohibited. In addition, however, we must look at the question of interlocking directorships between banks and corporations, particularly where the bank and the corporation have other important ties. For example, I think it would be important to prohibit director interlocks between a bank and a corporation where that bank holds a substantial block of the corporation's stock in its trust department. There are other questions in this same area which must be explored fully in hearings in the next session.

Mr. Speaker, I place in the RECORD a copy of my letter to Dr. Burns of June 1 and his reply of December 16:

COMMITTEE ON BANKING
AND CURRENCY,
Washington, D.C., June 1, 1970.

HON. ARTHUR F. BURNS,
Chairman, Board of Governors, Federal Reserve System, Washington, D.C.

DEAR CHAIRMAN BURNS: On April 2, 1970, I forwarded to you a copy of a letter from a Washington attorney pointing out a possible violation of Section 8 of the Clayton Antitrust Act as a result of interlocking directorships between the First National City Bank, the nation's second largest commercial bank, and Marine Midland Banks, Inc., the country's fourth largest registered bank holding company, both headquartered in New York State. These institutions directly compete in the commercial banking field in New York City.

On April 8, 1970, you informed me that you were asking the Federal Reserve Bank of New York to make a report relative to this possible violation of Section 8 of the Clayton Act. On May 18, 1970, you informed me by letter that the Board of Governors of the Federal Reserve Board on May 12 submitted for publication in the *Federal Register* an interpretation of Section 8 of the Clayton Act which stated, in effect, that it was a violation of interlocking directorate prohibitions for an officer, director or employee of a Member Bank of the Federal Reserve System to serve at the same time as an officer, director or employee of a bank holding company where the two banking entities are located in the same, contiguous or adjacent cities, towns or villages.

You further stated that as a result of my original inquiry of April 2, Mr. J. Peter Grace, who is a director of both the First National City Bank and the Marine Midland Banks, Inc., was to be advised to terminate this illegal interlocking relationship.

First of all, let me commend you and the other Members of the Federal Reserve Board for your prompt and vigorous action in regard to this matter. The Board under pre-

vious chairmen has not shown an equal degree of responsiveness to such questions.

It is interesting to note, however, that Mr. J. Peter Grace has been on the Board of Directors of First National City Bank for over 11 years, since 1959, and has served on the Marine Midland Banks, Inc. Board since 1965. Therefore, he has been in violation of Section 8 of the Clayton Antitrust Act for over 5 years.

In light of this, it seems to me that the Federal Reserve Board should make a thorough and exhaustive examination of all such interlocking directorships to determine whether many other violations of the Clayton Act are also continuing to occur because of lax enforcement of the law in the past on the part of the Federal Reserve.

This episode also raises again the question of the adequacy of the Clayton Act provisions barring interlocking directorships among commercial banks, as well as between commercial banks and other competing financial institutions. As you know, over the past few years the staff of the House Banking and Currency Committee has done extensive work in this field, revealing the widespread existence of interlocking relationships among competing financial institutions.

The significance of corporate interlocks has been stressed in other reports and studies as well. In fact, the Antitrust Subcommittee of the House Judiciary Committee published an entire 270-page study on the subject in 1965 entitled "Interlocks in Corporate Management." This study touched on the problem of interlocks among some financial institutions, but did not go into great detail in this area. The subcommittee chairman, Mr. Celler, who is also chairman of the full House Judiciary Committee, has recommended legislation in this area to restrict corporate interlocks among various types of corporations, including banks and other types of financial institutions.

Of equal significance was the recommendation of the Advisory Committee on Banking to the Comptroller of the Currency in 1962. This committee, chaired by Frank E. McKinney, chairman of the board of American Fletcher National Bank & Trust Co. of Indianapolis, Ind., had 24 members, 22 of whom were officers of commercial banks. This committee's report had the following to say about the problem of interlocking directorates:

"The financial structure of the Nation needs to be guarded against conflicts of interest. This means that the law and its application by the supervisory authorities should restrict interlocking directorates, and not only between competing banks and certain other types of competing financial institutions, notably, mutual savings banks and savings and loan associations. As presently interpreted, the law prohibits various specific types of interlocking directorates as between member banks but does not similarly restrict interlocks involving other classes of financial institutions to the extent desirable. Hence, there is a clear need for legislation dealing with this problem."

This committee went on to recommend that—

"The prohibitions of the present law on interlocking directorates should be made applicable between banks, whether chartered under Federal or State law."

This recommendation received renewed support when the Annual Report for 1965-66 of the Comptroller of the Currency stated:

"This office has consistently taken the view that conflicts of interest in the financial structure should be removed and that laws regarding interlocking directorates should be clarified and strengthened."

As the above-quoted statements imply, present law prohibiting corporate interlocks among banks and other competing financial institutions is clearly inadequate.

The present provisions of the Clayton Act prohibit any officer, director, or employee of a member bank of the Federal Reserve Sys-

tem from serving at the same time as a director, officer, or employee of either a federally chartered or a State-chartered bank. However, of the eight statutory exceptions, there are three very broad and important statutory exceptions to this general prohibition: (1) The Federal Reserve Board may by regulation permit a director or employee of a bank to serve in a similar capacity with one other bank; (2) the prohibition does not apply where a National- or State-chartered bank is located outside of or is not contiguous with or adjacent to the city, town, or village in which the Federal Reserve member bank has its main or a branch office; and (3) the prohibition does not apply to mutual savings banks having no capital stock.

In addition to the above-mentioned exceptions, there is another very significant but silent exception found in present law. The Clayton Act provisions only apply where at least one of the banks is a member bank of the Federal Reserve System. Any of the more than 6,000 State-chartered banks that are not member banks can have as many interlocks as they want without violating the law. The law also does not apply to interlocks between commercial banks and competing financial institutions, such as mutual savings banks, insurance companies, and small loan companies. Therefore, because of the statutory exceptions, as well as the loopholes created by omissions in the coverage of the law, the present statutory prohibitions against corporate interlocks in this area are to a great extent ineffective.

As a result of these studies, in February 1969, I introduced legislation as part of the Bank Holding Company Act Amendments (H.R. 6778) to tighten provisions of present law on this subject. Your predecessor, William McChesney Martin, among others, supported these provisions. However, because it was necessary to give greater consideration to parts of H.R. 6778 directly relating to the alarming one bank holding company issue, the Committee at that time did not consider in depth the serious weaknesses in present interlocking directorate prohibitions.

Because of the growing seriousness of this problem, I believe it is time for Congress to make a thorough re-examination of the adequacy of present law pertaining to interlocking directorates among all financial institutions. In preparation for this undertaking, I would like to request the Federal Reserve Board to study this matter thoroughly and report its position on the adequacy of present law in this field.

Your cooperation in this matter will be greatly appreciated.

Sincerely yours,

WRIGHT PATMAN,
Chairman.

CHAIRMAN OF THE BOARD OF GOVERNORS, FEDERAL RESERVE SYSTEM,
Washington, D.C., December 16, 1970.

HON. WRIGHT PATMAN,
Chairman, Committee on Banking and Currency, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I am writing in further reply to your letter of June 1, 1970, concerning interlocking relationships with member banks under section 8 of the Clayton Act (15 U.S.C. 19).

Affiliations of officers, directors, and employees of member banks that might conflict with section 8 of the Clayton Act are regularly reviewed by the Federal Reserve System as part of the examinations of State member banks, and by the Comptroller of the Currency with respect to national banks. This is a continuing process, and where violations are found to exist the parties concerned are requested to terminate the prohibited relationships.

On receipt of your letter, we asked the Federal Reserve Banks to make a special review of interlocking personnel relationships in their Districts in order to ascertain if any

existed that were not permissible or were of questionable legality. This review disclosed twelve cases of interlocks in apparent violation of section 8. Two of these cases were already in the process of investigation as part of the Reserve Banks' general review process, and five had arisen shortly before the special review as a result of an interpretation concerning interlocking relationships with bank holding companies that the Board issued May 12, 1970. Steps have been taken to dissolve the prohibited interlocking relationships, by the Reserve Banks directly where State member banks are involved, and through the Comptroller of the Currency's office where national banks are involved.

In accordance with your request, the Board has also considered the adequacy of the present provisions of the Clayton Act affecting interlocking relationships.

The statutory prohibitions against interlocking relationships in section 8 involve two sets of considerations. On the one hand, interlocking relationships may seriously impair competition between firms in the same line of business. On the other hand, economic benefits flow from a high standard of performance by corporate boards of directors. This entails a free interchange of advice, ideas, and experiences among directors of varied backgrounds. Bankers often have experience and expertise that qualify them to render valuable service in this role. Interlocking directorates, in other words, are not inherently wrong. They may be good for the corporations involved and the public they serve. The problem is to define those situations where the risk of abuse outweighs the expectation of benefit.

Section 8 now prohibits interlocks between two ordinary business corporations where they are competitors by virtue of their business and location, so that elimination of competition between them by agreement would violate the antitrust laws. In prohibiting interlocks between a member bank and another bank, section 8 employs a test that is more easily applied—whether the two banks are in the same, adjacent, or contiguous cities, towns, or villages—for the same purpose of identifying market situations where interlocks might pose too great a threat of diminishing competition.

We see no reason to suppose that this risk of diminishing competition is any greater where an interlock involves a member bank than where it involves any other insured bank, and we would therefore recommend broadening the statute so that it applies to insured commercial banks, not just to member banks.

We also believe that the types of interlocking service that are prohibited should be re-examined. For member banks, section 8 now prohibits interlocking service as a "director, officer, or employee" whereas for other corporations the prohibition applies only to service as a director. In order to confine the prohibition to those banking situations that raise serious questions about diminishing competition, the Board recommends adoption of the approach advanced in 1965 by Representative Celler. His bill, H.R. 11572, 89th Congress, would have amended section 8 to apply to service as "a director, officer, or employee with management functions," and to "representatives or nominees" of such persons.

Section 8 now exempts interlocks between banks under common control. Obviously, there is no threat to competition in such instances. But this exemption as presently written is too broad, since it applies wherever the same "persons" own 50 per cent of the stock of each institution and the statute fails to give any specific content to the term "persons". As a result, to take the simplest example, where one person owns 90 per cent of the stock of Bank A and another owns 90 per cent of the stock of Bank B, the two may exchange single shares of stock of their respective banks and thereby come within the statutory

exemption, since together they are "persons" owning 50 per cent or more of the stock of both banks. Thereafter, under the present law, there may be interlocks between the two banks even if they are located across the street from each other and in direct competition. This loophole should be eliminated.

The Board recommends, further, that the prohibitions relating to interlocks between commercial banks should be broadened to cover all depository institutions—commercial banks, savings and loan associations, savings banks, building and loan associations, home-stead associations, and cooperative banks. While there are some lines of activity in which institutions in one class do not compete with those in another, there is sufficient overlapping of functions among all kinds of depository institutions to support a general presumption that those in the same community are in competition, particularly in view of the increasing powers of savings and loan associations.

In this connection, you may wish to consider extending coverage to all depository institutions, whether insured or not. Exempting uninsured institutions has little effect for commercial banks, since less than 200 banks with less than 1 per cent of total deposits are uninsured. About a third of all mutual savings banks and a fourth of all savings and loan associations, however, are uninsured, and they hold about 18 per cent and 4 per cent, respectively, of total deposits. Some of these noninsured institutions are, or could be, significant competitive forces in their local areas.

The fifth clause in section 8 presently exempts from the statute's coverage interlocking relationships between banks not in the same, contiguous, or adjacent cities, towns, or villages. Although the exemption is believed to have been intended to recognize the generally regional nature of banking which existed in 1935 (the date of the last amendment to the statute), interlocking relationships between and among several of the larger banks, which compete on a nationwide basis, may also come within this exemption. In the Board's judgment such interlocking relationships seem questionable.

We are not persuaded that a case has been made for further broadening of the restrictions in section 8 on interlocks with banks. It should be borne in mind that in addition to the provisions specifically relating to banks, section 8 includes a general prohibition against interlocking directorates between corporations engaged in commerce which are "by virtue of their business and location of operation, competitors, so that the elimination of competition by agreement between them would constitute a violation of any of the antitrust laws." Although its applicability in the case of interlocks between banks and nonbank businesses is not entirely clear, this provision would seem to offer additional protection against such interlocks where the anti-competitive effects are sufficiently strong. In considering any further tightening of the prohibitions of section 8, Congress should use caution, so as not to inhibit corporations—particularly the newer and smaller ones—in their search for directors of the highest caliber available.

Finally, the Board recommends that any legislation amending the statute along the lines suggested in this letter should provide that individuals who now serve in capacities that would be prohibited by the new legislation may continue to serve for a five-year period to allow a gradual phasing out of prohibited interlocks. In view of the difficulties of finding replacements, it could prove needlessly disruptive to concentrate the search within a shorter period.

Sincerely yours,

ARTHUR F. BURNS.

MINE TRAGEDY IN KENTUCKY

(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, earlier today the point was made that exactly 1 year ago today the President signed the Federal Coal Mine Health and Safety Act—on December 30, 1969. Now the sad news comes over the wires that 38 coal miners have had their lives snuffed out in a tragic mine accident at the Finley Coal Co. mine on Hurricane Creek near Hyden, Ky.

There have been early and unconfirmed reports that this particular mine was a nongassy mine. I do not know this to be a fact, but whether or not it is true, a person may be killed just as dead in a nongassy as in a gassy mine.

Up to the accident today, there had been 166 deaths in coal mines since the new safety features of the Federal Coal Mine Health and Safety Act went into effect on April 1, 1970. This contrasts with the 143 deaths in the comparable periods in 1969. With the 38 additional casualties today, the toll of coal miners killed in mining accidents has increased to 204—far above the 1969 total from April until the end of the year.

I submit that it is high time to stop cutting corners in the enforcement of the Coal Mine Health and Safety Act. It is high time to crack down on those coal operators who are playing fast and loose with the law in an effort to increase production. Finally, it is about time that the coal miners had an opportunity to be represented by union leadership which really believes and fights for their safety, and performs in a legal fashion.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. CARTER (at the request of Mr. GERALD R. FORD) for today, on account of official business.

Mr. HENDERSON (at the request of Mr. ALBERT) for today, on account of illness.

Mr. PEPPER (at the request of Mr. BOGGS) for today, on account of official business.

Mr. FOUNTAIN (at the request of Mr. ALBERT) for today, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. MATSUNAGA, for 10 minutes, today, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. LANDGREBE), to revise and extend their remarks and include extraneous matter:)

Mr. HALPERN, for 5 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

Mr. SANDMAN, for 5 minutes, today.

(The following Members (at the request of Mr. DANIEL of Virginia) and to include extraneous matter:)

Mr. GARMATZ, for 20 minutes, today.

Mr. MIKVA, for 10 minutes, today.

Mr. COHELAN, for 5 minutes, today.

Mr. **RODINO**, for 15 minutes, on December 31.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. **YATES** and to include extraneous matter.

Mr. **FRASER**.

(The following Members (at the request of Mr. **LANDGREBE**) and to include extraneous matter:)

Mr. **SCHERLE** in 10 instances.

Mr. **TAFT** in three instances.

Mr. **RIEGLE** in three instances.

Mr. **HOSMER** in two instances.

Mr. **WYDLER**.

Mr. **ADAIR** in two instances.

Mr. **GUDE**.

Mr. **HALPERN**.

Mr. **WYMAN** in two instances.

Mr. **STANTON**.

Mr. **WYLLIE**.

Mr. **SCHMITZ** in four instances.

Mr. **ASHBROOK** in three instances.

Mr. **PELLY**.

(The following Members (at the request of Mr. **DANIEL** of Virginia) and to include extraneous matter:)

Mr. **RODINO** in two instances.

Mr. **TEAGUE** of Texas in eight instances.

Mr. **FALLON** in three instances.

Mr. **DOWNING** in two instances.

Mr. **HÉBERT** in two instances.

Mr. **RARICK** in five instances.

Mr. **VANIK** in two instances.

Mr. **FASCELL** in three instances.

Mr. **EILBERG** in two instances.

Mr. **ANDERSON** of California in five instances.

Mr. **BURKE** of Massachusetts in two instances.

Mr. **FRASER** in 10 instances.

Mr. **FULTON** of Tennessee in three instances.

Mr. **BINGHAM** in three instances.

Mr. **CABELL** in three instances.

Mr. **O'NEILL** of Massachusetts in six instances.

Mr. **JOHNSON** of California in six instances.

Mr. **THOMPSON** of New Jersey in six instances.

Mr. **HAWKINS** in three instances.

Mr. **KLUCZYNSKI** in five instances.

Mr. **FOUNTAIN** in three instances.

Mr. **MANN** in five instances.

Mr. **MURPHY** of New York in five instances.

Mr. **PUCINSKI** in six instances.

Mr. **EDMONDSON** in two instances.

Mr. **PICKLE** in two instances.

ENROLLED BILLS SIGNED

Mr. **FRIEDEL**, from the Committee on House Administration, reported that that committee had examined and found truly enrolled bills of the House of the following titles, which were thereupon signed by the Speaker:

H.R. 4605. An act to amend the Tariff Act of 1930 and the United States Code to remove the prohibitions against importing, transporting, and mailing in the U.S. mails articles for preventing conception; and

H.R. 1959. An act making appropriations for the Department of Defense for the fiscal year ending, June 30, 1971, and for other purposes.

SENATE ENROLLED BILL SIGNED

The **SPEAKER** announced his signature to an enrolled bill of the Senate of the following title:

S. 1181. An act to provide authority for promotion programs for milk, tomatoes, and potatoes, and to amend section 8e of the Agricultural Adjustment Act, as reenacted and amended, to provide for the extension of restrictions on imported commodities imposed by such section to imported raisins, olives, and prunes.

ADJOURNMENT

Mr. **DANIEL** of Virginia. Mr. Speaker, I move that the House do now adjourn.

The **SPEAKER** pro tempore (Mr. **MILLS**). The question is on the motion to adjourn.

Mr. **HALL**. Mr. Speaker—

The **SPEAKER** pro tempore. The Chair would request that the gentleman from Missouri permit the Chair to put the question.

The question was taken; and the Speaker pro tempore announced that the ayes had it.

PARLIAMENTARY INQUIRY

Mr. **HALL**. Mr. Speaker, a parliamentary inquiry.

The **SPEAKER** pro tempore. The gentleman will state his parliamentary inquiry.

Mr. **HALL**. Mr. Speaker, is a privileged amendment in the form of a substitute as a concurrent resolution in order on a motion to adjourn?

The **SPEAKER** pro tempore. The Chair will advise the gentleman from Missouri that it is not in order on a simple motion to adjourn.

Mr. **HUNT**. 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. The Chair announced that the ayes had it.

Mr. **HUNT**. Mr. Speaker, I was seeking recognition and I was on my feet.

The **SPEAKER** pro tempore. The Chair will advise the gentleman from New Jersey that a quorum is not required in order to adjourn the House.

The House stands adjourned until 12 o'clock tomorrow.

Accordingly (at 8 o'clock and 34 minutes p.m.), the House adjourned until tomorrow, Thursday, December 31, 1970, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

2639. A letter from the Assistant Secretary for Congressional Relations, Department of State, transmitting the texts of ILO Convention No. 129 and Recommendation No. 133 concerning labor inspection in agriculture, as adopted by the International Labor Conference (H. Doc. No. 91-434); to the Committee on Foreign Affairs and ordered to be printed.

2640. A letter from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting plans for works of improvement for the Clear Creek

watershed, Nebraska, which does not involve a structure providing more than 4,000 acre-feet of total capacity, pursuant to section 5 of the Watershed Protection and Flood Prevention Act, as amended; to the Committee on Agriculture.

2641. A letter from the Assistant Secretary of the Interior, transmitting a copy of the annual report to the Congress on the administration of the Federal Metal and Non-metallic Mine Safety Act (80 Stat. 772), for the period January 1, 1969, through December 31, 1969, pursuant to section 20 of the act; to the Committee on Education and Labor.

2642. A letter from the Administrator, General Services Administration, transmitting the 1970 Annual Report of the General Services Administration; to the Committee on Government Operations.

2643. A letter from the Under Secretary of the Interior, transmitting a copy of a proposed concession contract to provide accommodations, facilities, and services for the public at Diablo East Site within Amistad Recreation Area, Tex., for a 20-year period, pursuant to 67 Stat. 271, as amended by 70 Stat. 543; to the Committee on Interior and Insular Affairs.

2644. A letter from the Secretary of Transportation, transmitting a copy of the fourth annual report on activities carried out under the High Speed Ground Transportation Act of 1965, as amended; to the Committee on Interstate and Foreign Commerce.

2645. A letter from the Executive Secretary to the Panel, Federal Railroad Administration, Department of Transportation, transmitting a report of the Financial Advisory Panel of the National Railroad Passenger Corporation, pursuant to the provisions of section 503 of Public Law 91-518; to the Committee on Interstate and Foreign Commerce.

2646. A letter from the Acting Director, Office of Management and Budget, Executive Office of the President, transmitting the following plans for works of improvement which involve at least one structure which provides more than 4,000 acre-feet of total capacity: Tallaseehatchee Creek, Ala.; Ecleto Creek, Tex.; Pond Creek, Tex.; Sanderson Canyon, Tex.; and Ni River, Va., pursuant to section 5 of the Watershed Protection and Flood Prevention Act, as amended; to the Committee on Public Works.

RECEIVED FROM THE COMPTROLLER GENERAL

2647. A letter from the Comptroller General of the United States, transmitting a report on improvements needed in financial statements of the emergency credit revolving fund of the Farmers Home Administration, Department of Agriculture; to the Committee on Government Operations.

2648. A letter from the Comptroller General of the United States, transmitting a report on overstatement of contract target costs for F-1 rocket engines for the Saturn V launch vehicle, National Aeronautics and Space Administration; to the Committee on Government Operations.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

Mr. **FRIEDEL**: Committee on House Administration. Report on the Smithsonian Institution; (Rept. No. 91-1801). Referred to the Committee of the Whole House on the State of the Union.

Mr. **BARRETT**: Committee of conference, Conference report on H.R. 19172; with amendment (Rept. No. 91-1802). Ordered to be printed.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. MONAGAN:

H.R. 20014. A bill to amend the Federal Property and Administrative Services Act of 1949 to permit donations of surplus property to public museums and to agencies of States and their political subdivisions which are operated primarily for environmental protection or for the provision of services to schools or school systems, and for other purposes; to the Committee on Government Operations.

By Mr. MORGAN (for himself, Mr. ALBERT, Mr. GERALD R. FORD, and Mr. ADAIR):

H. Res. 1321. A resolution concerning the continued injustices suffered by Jewish citizens of the Soviet Union; to the Committee on Foreign Affairs.

By Mr. MORGAN (for himself, Mr. ADDABBO, Mr. CELLER, Mr. CORMAN, Mr. DOWNING, Mr. FULTON of Pennsylvania, Mr. HALPERN, Mr. HORTON, Mr. KOCH, Mr. MEEDS, Mr. MOORHEAD, Mr. PODELL, Mr. ROONEY of Pennsylvania, Mr. VANIK, Mr. WOLFF, Mr. HECHLER of West Virginia, Mr. RYAN, Mr. YATES, Mr. HAYS, Mr. LONG of Maryland, Mr. BOLLING, Mr. ROSENTHAL, Mr. FARBERSTEIN, Mr. HAMILTON, and Mr. CULVER):

H. Res. 1323. A resolution concerning the continued injustices suffered by Jewish citizens of the Soviet Union; to the Committee on Foreign Affairs.

By Mr. MORGAN (for himself, Mr. BINGHAM, Mr. DEVINE, Mr. ST GERMAIN, Mr. SCHEUER, Mr. STEELE, Mr. PELLY, Mr. DENT, Mr. GARMATZ, Mr. WALDIE, Mr. HANNA, Mr. CAREY, Mr. BURTON of California, Mr. GREEN of Pennsylvania, Mr. BRASCO, Mr. MINISH, Mr. MIKVA, Mr. MURPHY of New York, Mr. ESHLEMAN, Mr. EILBERG, Mr. BYRNE of Pennsylvania, Mr. GILBERT, Mr. GAYDOS, and Mr. CLARK):

H. Res. 1324. A resolution concerning the continued injustices suffered by Jewish citizens of the Soviet Union; to the Committee on Foreign Affairs.

By Mr. MORGAN (for himself, Mr. FRASER, Mr. SLACK, Mr. PIKE, Mr. HAWKINS, Mr. FINDLEY, Mr. SAYLOR, Mr. WIDNALL, Mr. TAFT, Mr. SMITH of New York, Mr. ROBISON, Mr.

LOYD, Mr. ZWACH, Mr. PUCINSKI, Mr. THOMSON of Wisconsin, Mr. DAVIS of Wisconsin, Mr. SHRIVER, Mr. MONAGAN, Mr. DONOHUE, Mr. DERWINSKI, Mrs. GREEN of Oregon, Mr. STRATTON, Mr. NIX, Mr. BARRETT, and Mr. ANNUNZIO):

H. Res. 1325. A resolution concerning the continued injustices suffered by Jewish citizens of the Soviet Union; to the Committee on Foreign Affairs.

By Mr. MORGAN (for himself, Mr. ADAIR, Mr. ALBERT, Mr. GERALD R. FORD, Mr. HUNT, Mr. CONTE, Mr. BETTS, Mr. STEIGER of Wisconsin, Mr. BROTZMAN, Mr. BOW, Mr. TEAGUE of California, Mr. CONABLE, Mr. CEDERBERG, Mr. BEALL of Maryland, Mr. RUTH, Mr. KEITH, Mr. SCHWENGLER, Mr. VANDER JAGT, Mr. PIRNIE, Mr. COLLINS of Texas, Mr. BROYHILL of Virginia, Mrs. DWYER, Mr. McCLOSKEY, and Mr. GUDE):

H. Res. 1326. A resolution concerning the continued injustices suffered by Jewish citizens of the Soviet Union; to the Committee on Foreign Affairs.

By Mr. MORGAN (for himself, Mr. ADAIR, Mr. ALBERT, Mr. GERALD R. FORD, Mr. BELCHER, Mr. NELSEN, Mr. HANSEN of Idaho, Mr. MACGREGOR, Mr. HOGAN, Mr. McDADE, Mr. POFF, Mr. QUILLLEN, Mrs. HECKLER of Massachusetts, Mr. BROWN of Michigan, Mr. MORSE, Mr. STAFFORD, and Mr. COUGHLIN):

H. Res. 1327. A resolution concerning the continued injustices suffered by Jewish citizens of the Soviet Union; to the Committee on Foreign Affairs.

By Mr. MORGAN (for himself, Mr. ADAIR, Mr. ALBERT, Mr. GERALD R. FORD, Mr. SPRINGER, Mr. BRAY, Mr. WATSON, Mr. WAMPLER, Mr. CAMP, Mr. SCHADEBERG, Mr. WILLIAMS, Mr. SCHNEEBELI, Mr. LATTA, Mr. QUIE, Mr. CHAMBERLAIN, Mr. REID of New York, Mr. PETTIS, Mr. BROWN of Ohio, Mr. ROTH, Mr. DICKINSON, Mr. KING, Mr. WARE, Mr. FORSYTHE, and Mr. BIESTER):

H. Res. 1328. A resolution concerning the continued injustices suffered by Jewish citizens of the Soviet Union; to the Committee on Foreign Affairs.

By Mr. ZABLOCKI (for himself, Mr. O'HARA, Mr. MAILLIARD, Mr. FRELINGHUYSEN, Mr. KEE, Mr. FLOOD, Mr. BURKE of Massachusetts, Mr. PRICE of Illinois, Mr. BIAGGI, Mr. STEELE,

Mr. ANDERSON of Illinois, Mr. THOMPSON of New Jersey, Mr. BRADEMAS, Mr. MATSUNAGA, Mr. NEDZI, Mr. KLUCZYNSKI, Mr. PASSMAN, Mr. GONZALEZ, Mr. VIGORITO, Mr. DANIELS of New Jersey, Mr. ROE, Mr. RODINO, Mr. SYMINGTON, Mr. UDALL, and Mr. REUSS):

H. Res. 1329. A resolution concerning the continued injustices suffered by Jewish citizens of the Soviet Union; to the Committee on Foreign Affairs.

By Mr. CELLER:

H. Res. 1330. A resolution condemning the persecution of any persons because of their religion in the Soviet Union; urging the Soviet Union to permit the free exercise of religion and pursuit of culture by Jews and all other citizens; and urging that the Soviet Union allow the emigration of its citizens who wish to emigrate; to the Committee on Foreign Affairs.

By Mr. DEVINE (for himself and Mr. KING):

H. Res. 1331. A resolution concerning the continued injustices suffered by Jewish citizens of the Soviet Union; to the Committee on Foreign Affairs.

By Mr. GALLAGHER:

H. Res. 1332. A resolution concerning the continued injustices suffered by Jewish citizens of the Soviet Union; to the Committee on Foreign Affairs.

By Mr. GREEN of Pennsylvania:

H. Res. 1333. A resolution concerning the continued injustices suffered by Jewish citizens of the Soviet Union; to the Committee on Foreign Affairs.

By Mr. SHRIVER:

H. Res. 1334. A resolution concerning the continued injustices suffered by Jewish citizens of the Soviet Union; to the Committee on Foreign Affairs.

By Mr. TIERNAN:

H. Res. 1335. A resolution concerning the continued injustices suffered by the Jewish citizens of the Soviet Union; to the Committee on Foreign Affairs.

PETITIONS, ETC.

Under clause 1 of rule XXII,

656. The SPEAKER presented a petition of the Council of the City of New Orleans, La., relative to keeping the New Orleans Public Health Service Hospital in operation; to the Committee on Interstate and Foreign Commerce.

EXTENSIONS OF REMARKS

PRICE STABILITY

HON. JAMES G. O'HARA

OF MICHIGAN

IN THE HOUSE OF REPRESENTATIVES

Tuesday, December 29, 1970

Mr. O'HARA. Mr. Speaker, one of my constituents, Mr. Robert Hayworth Beal, has been thinking about some of the problems that confront the Nation in the field of economic instability. He has put his thoughts together in a document entitled "A Petition for a Coordinated and Credible Program for Price Stability", which he has asked me to present to the Congress.

Certainly, in exercising his first amendment right to petition the Congress, Mr. Beal is well within his rights in asking that his suggestions be put before this body for its consideration.

I include the petition at this point in the RECORD for the attention of the Members of this House:

A PETITION FOR A COORDINATED AND CREDIBLE PROGRAM FOR PRICE STABILITY

This is a Request to the President and to the Congress to sponsor still another Study Commission. This Commission would be charged with making recommendations for A Coordinated and Credible Program for Price Stability.

It would seem proper that the petitioner indicate the nature of the problem, that a few suggestions be made to the Commission and that some thought be expressed as to the direction Commission Recommendations might take.

THE NATURE OF THE PROBLEM

Congress has given authority to the Federal Reserve Board to effect changes in the quantity of money and credit.¹ We are all

¹The Federal Reserve Act of 1913, as amended, gives the Board authority to change

pretty guilty of pointing our fingers at the Board² and in effect saying, "You can control the quantity of money and by so doing can control its value.³ Now provide us with a finely tuned, dynamic, expanding, free enterprise economy, gently stimulated by mild, mannerly inflation and an abundance of long-term, low interest credit, and an economy which provides full employment with free collective bargaining for all public employees as well as those in the trades and industry, and an economy which will allow our Congress and our President freedom to

the rediscount rate when member banks borrow; to change reserve requirements of member banks and to buy and sell bonds on the open market.

²The Board "and/or the President who has some standby authority."

³A restrained definition of the Quantity Theory of Money would be "Other factors remaining constant, the value of money will tend to vary inversely with quantity in circulation."