HOUSE OF REPRESENTATIVES— *Monday, March 16, 1970*

The House met at 12 o'clock noon.

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

Be of good courage and He shall strengthen your heart, all ye that hope in the Lord.—Psalm 31: 24.

O gracious Father of mankind, our spirits' unseen friend, to Thee our prayer ascends at the beginning of another week. Help us to live through these troubled times with faith and hope and love. Let not our strength fail, nor our vision fade, nor our trust in Thee falter in the heat and burden of the day. Make us patient with one another and understanding, remembering that each one faces demanding duties and each one walks a lonely road.

Sustain us, O God, as we endeavor to do our duty, to seek the best for our country, and to lead our people in right and good paths. Day by day, whatever befalls us, may we hold Thy hand, look up to Thy face, and endeavor to walk with Thee until our work is done and our day comes to a close. In Thy name we pray. Amen.

THE JOURNAL

The Journal of the proceedings of Thursday, March 12, 1970, 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 with amendments in which the concurrence of the House is requested, a bill of the House of the following title:

H.R. 4249. An act to extend the Voting Rights Act of 1965 with respect to the discriminatory use of tests and devices.

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. 495. An act for the relief of Marie-Louise (Mary Louise) Pierce.

The message also announced that the Vice President, pursuant to Public Law 301, 78th Congress appointed Mr. CRANSTON to be a member of the Board of Visitors to the U.S. Merchant Marine Academy.

The Vice President announced the appointment by the chairman of the Committee on Commerce, pursuant to the above-cited law, of Mr. HOLLINGS and Mr. GOODELL as members of the same Board of Visitors.

The message also announced that the Vice President, pursuant to Public Law 207, 81st Congress, appointed Mr. DODD to be a member of the Board of Visitors to the U.S. Coast Guard Academy.

The Vice President announced the appointment by the chairman of the Committee on Commerce, pursuant to the above-cited law, of Mr. LONG and Mr. PROUTY as members of the same Board of Visitors.

INDEPENDENT LITHUANIA

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

Mr. ADAIR. Mr. Speaker, in these days of multitudinous and crucial issues there are events of the past that merit our recognition. One month ago today, America, together with the Lithuanian-American community remembered the historic event of the 52d anniversary of the independence of Lithuania, and it is hoped that our pressing legislation schedules will not make the date of February 16, 1918, as one to be remembered only on its anniversary month and then to be forgotten about the following day, or even the following month. The Lithuanian patriots should be remembered and I have spoken on former occasions on the floor of the House on this matter and I again urge the leaders of the Kremlin to reexamine their deeds and consider the millions of freedom-loving people now captive in the Soviet Empire.

Indiana Hoosiers are cognizant of the American Lithuanians who have made significant contributions to the progress and growth of Indiana, and in every State in this Union, who have aided our Government in fighting Communist expansion.

PERMISSION FOR SUBCOMMITTEE ON MINES AND MINING, COMMITTEE ON INTERIOR AND INSULAR AFFAIRS, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Mines and Mining of the Committee on Interior and Insular Affairs may sit during general debate today.

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

There was no objection.

PERMISSION FOR SUBCOMMITTEE ON FISHERIES AND WILDLIFE CONSERVATION, COMMITTEE ON MERCHANT MARINE AND FISHERIES, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Fisheries and Wildlife Conservation of the Committee on Merchant Marine and Fisheries be permitted to sit during general debate today.

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

There was no objection.

REQUEST FOR PERMISSION FOR COMMITTEE ON BANKING AND CURRENCY TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Committee on Banking and Currency may sit during general debate today.

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

Mr. GERALD R. FORD. Mr. Speaker, reserving the right to object, I have been informed that there are individuals who would object to the Committee on Banking and Currency sitting today during the time that the House is in session. A few moments ago, Mr. Speaker, the gentleman from Texas, the chairman of the committee, indicated to me that the committee had voted unanimously to request such authority. This is contrary to information I received previously.

Mr. Speaker, I am trying to find out from the sources who contacted me whether there has been a change in attitude. Therefore, until I have had such an opportunity to check with the Members of Congress who contacted me, I must either object or preferably ask that the request be withdrawn temporarily.

Mr. ALBERT. Mr. Speaker, will the gentlemen from Michigan yield to the gentleman from Texas for an explanation?

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

Mr. PATMAN. Mr. Speaker, may I suggest that we had difficulty agreeing on a time to meet. We worked Thursday afternoon and it was getting late, when we decided to ask if the committee would like to adjourn until the next day, Friday. The members of the committee did not want to meet Friday morning or Friday afternoon or Saturday. Then I suggested that Monday would be the only time, if we wanted to have a bill out and get it considered before Easter. I asked the committee if we could agree to meet at 9:30 a.m. Monday—today. Most of the members did not want to do that. Then I asked about 2 p.m. today. They seemed to be agreeable to that. I said:

Well, without objection the committee will stand in recess until 2 o'clock Monday afternoon, with the understanding that we will seek permission to sit while the House is in session during general debate, and if we fail to get that permission, we will meet immediately after the House adjourns. So, without objection the committee will adjourn to meet at 2 o'clock on Monday.

That is the way it was and I think the record will bear me out.

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

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

Mr. HALL. Mr. Speaker, I appreciate the distinguished minority leader yield-

ing. I simply want to point out that all these requests are academic, in view of the program under "suspension of the rules" today, because there will undoubtly be repeated quorum calls and rollcalls if this program is followed up.

Mr. GERALD R. FORD. Mr. Speaker, I repeat my request to the gentleman to withdraw the request until I have had an opportunity to check with the individuals who called me earlier today.

Mr. PATMAN. Mr. Speaker, of course, I will certainly have to yield to the gentleman. I will be glad to.

I would like to make this statement, that this is a very important bill on Swiss bank accounts and it is against organized crime. There are some terrible things happening. The administration of the gentleman is for the bill. They want a few changes, which we will be considering, but we must get that bill through before Easter if we can, because the banks are being robbed and citizens are being robbed and organized crime is running rampant and it should be stopped immediately.

Of course, I will yield to the gentleman and I will ask the majority leader to withhold the request, but I hope the gentleman will consider that, because I know he wants a bill of that kind passed if possible before Easter.

Mr. GERALD R. FORD. Let me say with emphasis, I am certainly in favor of the legislation, but it does not seem practical to me for the committee to consider important legislation of this kind while the House is in session, while we are in the process of having a number of bills considered and a number of bills voted on. I do not believe the committee can adequately consider this vital legislation while Members are going back and forth from the committee room to the floor of the House to participate in or listen to the debate here and to vote on the various legislative proposals before us this afternoon. So it just seems to me, unless the objection which was raised with me is withdrawn, that it would be the proper course of action for us to defer it until I have had an opportunity to check.

Mr. ALBERT. Mr. Speaker will the gentleman yield?

Mr. GERALD R. FORD. I yield to the distinguished gentleman from Oklahoma.

Mr. ALBERT. In view of the statement of the minority leader, I withdraw my request for the time being.

The SPEAKER. The gentleman from Oklahoma withdraws his request.

PERMISSION FOR COMMITTEE ON RULES TO FILE PRIVILEGED REPORTS

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

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

There was no objection.

COMMUNICATION FROM THE CLERK OF THE HOUSE

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

MARCH 13, 1970.

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

DEAR SIR: I have the honor to transmit herewith a sealed envelope addressed to the Speaker of the House of Representatives from the President of the United States, received in the Clerk's Office at 11:45 a.m., on Friday, March 13, 1970, and said to contain a message from the President concerning Protection of Employee Benefits.

With kind regards, I am

Sincerely yours,

PAT JENNINGS,
By W. RAYMOND COLLEY,
Clerk.

PROTECTION OF EMPLOYEE BENEFITS—MESSAGE FROM THE PRESIDENT OF THE UNITED STATES (H. DOC. NO. 91-276)

The SPEAKER laid before the House the following message from the President of the United States; which was read and referred to the Committee on Education and Labor and ordered to be printed:

To the Congress of the United States:

In his First Annual Message in 1901, President Theodore Roosevelt wrote: "The well-being of the wage-worker is a prime consideration of our entire policy of economic legislation."

The United States of America has changed in innumerable ways in the almost seventy years since those words were written. Yet, despite the changes that have transformed our economic and social life, the profound truth of those words remains: today the well-being of the workingman is a prime consideration of this Administration.

Last year I sent to the Congress legislation dealing with Manpower Training, Unemployment Insurance and Occupational Safety and Health.

The Manpower Training bill deals with how we can help a jobless man get work or help the workingman move on to better-paying and more challenging jobs.

The Unemployment Insurance bill deals with how we can help the workingman when he is temporarily out of work.

The Occupational Safety bill deals with how we can help the workingman to do his job under the best possible conditions of health and safety.

This legislation has now been before the Congress for more than seven months. And while I know that all of these bills are in one stage or another of the Congressional process, I am hopeful that they will be enacted promptly and sent to me for signature. I urge the Congress, for the sake of the American workingman, to reach final action on these measures without further delay.

This legislation concerns the American workingman on and off the job. Yet there is another important part to the average workingman's life: after his working years, the time when he can begin to enjoy his pension and welfare benefits.

The earliest known industrial pension plan in this nation was established in 1875. Today, less than one hundred years later, there are hundreds of thousands of employee benefit plans providing pension and welfare benefits to some 50 million workers.

Welfare and pension plans are a part of the success story of the American workingman. Employee benefits are among the most familiar—and most admired—aspects of economic life in our nation.

These plans involve over one hundred twenty billion dollars. More important, they involve the security, the dignity and the well-being of millions of Americans whose lives have been enchanced upon retirement or on the job by welfare or pension benefits. The control of these funds is shared by employers, unions, banks, insurance companies, and many others. While most of the plans are carefully managed by responsible people, we must make certain that the employee's money is fully protected.

I am therefore proposing the "Employee Benefits Protection Act." This Act would protect employees with pension fund rights against improper investments and conflict of interest on the part of administrators of these funds. This has never been done by the Federal government.

The reforms proposed in the Employee Benefits Act can be divided into four major areas:

First, the Federal government would require that persons who control employee benefit funds must deal with those funds exclusively in the interest of the employee beneficiaries. A Federal standard of these obligations would more effectively provide a remedy where conflict of interest or carelessness exists in the management and investment of funds.

While these situations are infrequent, existing State and Federal laws are inadequate to deal with them. Theft, embezzlement, bribery, and kickbacks in connection with employee benefit plans have been made Federal crimes in earlier Congressional action, but conduct that breaches established principles of trusteeship has not been adequately dealt with.

Second, the reporting and disclosure provisions would be broadened and strengthened by requirements which call for additional information. Further and more detailed disclosure as to the financial operations and actuarial basis of employee benefit plans is a necessary complement to the imposition of fund management obligations and responsibilities. It is well established that those in a trustee-type relationship should give a detailed accounting of their stewardship. This type of accounting is similar to requirements presently applicable to mutual investment funds, banks, and insurance companies. However, the present reporting and disclosure provisions for employee benefit plans are more

limited. The proposed Act would make available to employees vital information about the plans that are run for their welfare and retirement.

Third, changes would be made to implement the newly imposed management responsibility and the newly strengthened reporting provisions. These include broadened investigatory and enforcement powers for the Secretary of Labor and revisions designed to provide an alternative mode of enforcement of remedies through class actions by participants and beneficiaries.

Fourth, the Act would foster a body of uniform Federal law in employee benefits protection. State laws that otherwise regulate banking, insurance and securities are expressly allowed to remain in effect.

In summary, the Act would provide for a uniform source of law for evaluating the conduct of persons acting on behalf of employee benefit plans and for a single system of reporting and disclosure in lieu of burdensome multiple reports. Under the Act, States could require the filing with a State agency of copies of specified reports and State courts as well as Federal courts would be available to provide remedies. Furthermore, the Act would expressly authorize cooperative arrangements with State agencies as well as other Federal agencies. It would also provide that State laws regulating banking, insurance and securities remain unimpaired. Finally, experience in administering the present law has demonstrated that minor technical amendments are needed to resolve certain details of procedure and to otherwise make the law more workable.

The Employee Benefits Protection Act further expands my program to protect the American worker as he works, when he is out of work, and after his working career is over. Once again, I must express my concern that the first three parts of this program—relating to Manpower Training, Unemployment Insurance, and Occupational Safety—have been so long before the Congress without final action. And again I urge the Congress to enact these measures at the earliest possible date and to give urgent priority to this fourth part of the program—the Employee Benefits Protection Act.

America's most valuable asset is its workers. From their skills and from their determination to build a better life for themselves and their children has come a strong and free economy and a nation whose prosperity is unmatched in the history of the world. They deserve our active interest in their welfare.

RICHARD NIXON.

THE WHITE HOUSE, *March 13, 1970.*

AUTHORITY TO POSTPONE VOTES FROM ST. PATRICK'S DAY UNTIL WEDNESDAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that in view of the fact tomorrow is St. Patrick's Day any votes on bills and conference reports—and this does not include rules or procedural matters—may go over until Wednesday.

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

There was no objection.

CONSENT CALENDAR

The SPEAKER. This is Consent Calendar day. The Clerk will call the first bill on the Consent Calendar.

PROVIDING THE GRADE OF LIEUTENANT GENERAL FOR OFFICER SERVING AS CHIEF, THE NATIONAL GUARD BUREAU

The Clerk called the bill (H.R. 15143) to amend title 10, United States Code, to provide the grade of lieutenant general for an officer serving as the Chief of the National Guard Bureau, and for other purposes.

The SPEAKER. Is their objection to the present consideration of the bill?

Mr. KOCH, Mr. RYAN, and Mr. REES objected; and, under the rule, the bill was stricken from the Consent Calendar.

PROVIDING FOR LOANS TO INDIAN TRIBES AND TRIBAL CORPORATIONS

The Clerk called the bill (S. 227) to provide for loans to Indian tribes and tribal corporations, and for other purposes.

The SPEAKER. Is their objection to the present consideration of the bill?

Mr. GROSS. Mr. Speaker, reserving the right to object, I should like to ask a question or two concerning this bill.

What happens when loans are made to Indians and they are unable to pay off the loans? As a condition for obtaining a loan must they waive immunity from prosecution for collection of the loans or foreclosure?

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

Mr. GROSS. I will always yield to my friend from Florida.

Mr. HALEY. The loan would be foreclosed. In the ordinary case, the loan would merely cover the land that has been purchased. However, the original loan would not take trust lands away from the Indians. This gives them the right to obtain a loan for the purchase of other properties. Of course, if the loan is not paid, they could foreclose on the land covered by the loan.

Mr. GROSS. This would not take trust land or land within the reservation owned by an Indian who borrowed money from the Farmers Home Administration, and for reasons beyond his control or for reasons within his control, he could not pay the loan?

Mr. HALEY. Mr. Speaker, if the gentleman will yield further, if I may explain to the gentleman, this is land that may be bought with the money obtained with the loan in order to try to increase the economic benefits of the tribe. But, no trust land that is in a reservation would ordinarily be affected. It would merely be a loan to acquire an industrial site, you might say.

Mr. GROSS. I thank the gentleman for his explanation.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

S. 227

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Secretary of Agriculture is authorized to make loans from the Farmers Home Administration Direct Loan Account created by section 338(c), of the Consolidated Farmers Home Administration Act of 1961, as amended (7 U.S.C. 1988(c)), to any Indian tribe recognized by the Secretary of the Interior or tribal corporation established pursuant to the Indian Reorganization Act (25 U.S.C. 477), which does not have adequate uncommitted funds, to acquire lands or interests therein within the tribe's reservation as determined by the Seretary of the Interior for use of the tribe or its members. Such loans shall be limited to such Indians tribes or tribal corporations as have reasonable prospects of success in their proposed operations and as are unable to obtain sufficient credit elsewhere at reasonable rates and terms to finance the purposes authorized in this Act.

SEC. 2. Title to land acquired by a tribe or tribal corporation with a loan made pursuant to this Act may, with the approval of the Secretary of the Interior, be taken by the United States in trust for the tribe or tribal corporation.

SEC. 3. A tribe or tribal corporation to which a loan is made pursuant to this Act (1) may waive in writing any immunity from suit or liability which it may possess, (2) may mortgage or otherwise hypothecate trust or restricted property if (a) authorized by its constitution or charter or by a tribal referendum, and (b) approved by the Secretary of the Interior, and (3) shall comply with rules and regulations prescribed by the Secretary of Agriculture in connection with such loans.

SEC. 4. Trust or restricted tribal or tribal corporation property mortgaged pursuant to this Act shall be subject to foreclosure and sale or conveyance in lieu of foreclosure, free of such trust or restrictions, in accordance with the laws of the State in which the property is located.

SEC. 5. Loans made pursuant to this Act will be subject to the interest rate provisions of section 307(a) of the Consolidated Farmers Home Administration Act of 1961, as amended, and to the provisions of subtitle D of that Act except sections 340, 341, 342, and 343 thereof: *Provided,* That section 334 thereof shall not be construed to subject to taxation any lands or interests therein while they are held by an Indian tribe or tribal corporation or by the United States in trust for such tribe or tribal corporation pursuant to this Act.

With the following committee amendments:

Page 1, line 5, after "section 338(c)" insert ", and to make and insure loans as provided in sections 308 and 309,".

Page 1, line 7, after "1988(c)" insert ", 1928, 1929".

Page 2, line 1, after "Interior" insert ", or within a community in Alaska incorporated by the Secretary pursuant to the Indian Reorganization Act,".

Page 2, lines 1 and 2, strike out "or its members." and insert in lieu thereof "or the corporation or the members of either."

Page 2, line 8, after "made" insert "or insured".

Page 2, line 12, after "made" insert "or insured".

Page 2, line 25, after "made" insert "or insured".

The committee amendments were agreed to.

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

Mr. HALEY. Mr. Speaker, the purpose of S. 227, and the companion bill H.R. 13732 introduced by the gentleman from Montana (Mr. OLSEN) is to make it possible for the Farmers Home Administration to make loans to Indian tribes for the purchase of land within their reservations. This purpose is accomplished by removing the obstacles that now prevent such loans.

The principal obstacle to FHA loans is the inability of most tribes to mortgage tribal land as security for a loan. The bill permits any tribe to mortgage its land as security for an FHA loan to buy additional land within its reservation if the tribe has reasonable prospects of repaying the loan, and if the mortgage is authorized by the tribal constitution or a tribal referendum, and if the mortgage is approved by the Secretary of the Interior. In the even of a default, the mortgage can be foreclosed and the land sold. If the mortgage covers only the land purchased with the loan funds the present tribal land estate will not be diminished by a foreclosure of the loan.

Another obstacle is the possible immunity of the tribe from suit without its consent. The bill permits the tribe to waive this immunity as a part of its loan agreement.

Still another obstacle to FHA loans is a provision of the Farmers Home Administration Act that land mortgaged to secure a loan shall be subject to local taxation. The bill excepts trust lands from this provision and permits the title to land acquired with loan funds to be taken in trust.

Indian tribes now have inadequate credit resources, particularly loan funds for the purchase of land. By making tribes eligible for FHA loans, on the same terms that apply to other borrowers, Indian tribes will be helped.

Mr. OLSEN. Mr. Speaker, I introduced H.R. 1372, the companion bill to S. 227, at the request of the Confederated Salish and Kootenai Tribes of the Flathead Reservation, Mont., although it is legislation which will benefit all Indian tribes throughout the United States, and as you know, I have a deep concern in legislation affecting Indians generally, as well as that affecting those who are my constituents.

This bill as amended will authorize the Secretary of Agriculture through the Farmers Home Administration to make loans to any Indian tribe or tribal corporation for the purpose of acquiring land within the tribe's reservation and to insure loans to tribes made by commercial lending institutions. It is well known that one of the most serious problems facing many Indian tribes today is the lack of capital funds which precludes tribes from many economic activities, including land acquisition. Continuing efforts are being made to upgrade the economic conditions of American Indians, and some of these efforts have been quite successful. However, for the Indians who are located in the Midwest and West, as a majority are, industrialization is more often a dream than a reality and in plain economic facts it is through land that one establishes an economic base. The market for good lands has become quite dear, and unless tribes have funds available they will be unable to meet the competition of nonmembers in acquiring the available lands. This bill will help alleviate that situation.

In addition, the bill, by providing authority to the Farmers Home Administration to make loans to tribes, will enable tribes to purchase lands which are in multiple ownership status, and this will help solve the vexing Indian heirship land problem. The bill also will help retain individually owned trust or restricted land in Indian ownership by making available to tribes funds which they can use to purchase land. Finally, of course, the funds will help the Indians purchase land which is necessary to round out various land acquisition programs and make them economically viable.

The bill recognizes that the requirements of the Farmers Home Administration in connection with a loan made pursuant to the bills would require a tribe or tribal corporation, upon approval by the Secretary of the Interior, to waive immunity from suit and to mortgage trust or restricted property if authorized by its constitution or charter or by a tribal referendum. This, of course, means that there is authorization to mortgage the property which is being purchased by the funds made available under the bill, and this is recognized as an accepted business practice; it is an exception to the general rule of mortgaging tribal property, but there is, of course, the usual safeguard of approval by the Secretary of the Interior.

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

DISPOSITION OF ESTATES OF INTESTATE MEMBERS OF THE CHEROKEE, CHICKASAW, CHOCTAW, AND SEMINOLE NATIONS OF OKLAHOMA DYING WITHOUT HEIRS

The Clerk called the bill (H.R. 4145) to provide for disposition of estates of intestate members of the Cherokee, Chicasaw, Choctaw, and Seminole Nations of Oklahoma dying without heirs.

There being no objection, the Clerk read the bill, as follows:

H.R. 4145

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That upon the final determination of a court having jurisdiction or by decision of the Secretary of the Interior after a period of five years from the death of the decedent, it is determined that a member of the Cherokee, Chickasaw, Choctaw, or Seminole Nations or Tribes of Oklahoma or a person of the blood of said tribes has died intestate without heirs, owning trust or restricted Indian lands or an interest therein in Oklahoma, such lands or interests owned, together with all rents and profits occurring therefrom, shall escheat to the Nation or tribe from which title to the trust or restricted Indian lands or interest therein was derived and shall be held thereafter in trust by the United States for said nation or tribe.

With the following committee amendments:

Page 1, line 9, after "lands" insert "in Oklahoma"

Page 1, line 10 through page 2, line 1, strike out "in Oklahoma, such lands or interests owned, together with all rents and profits occurring therefrom," and insert "or rents or profits therefrom, such lands, interest, or profits"

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

Mr. HALEY. Mr. Speaker, the purpose of H.R. 4145, introduced by Mr. EDMONDSON, is to provide that when a member, or the decedent of a member, of the Cherokee, Chickasaw, Choctaw, or Seminole Tribes of Oklahoma dies without a will, and he has no heirs, his interest in any trust or restricted land, or in the rents therefrom, will escheat to the tribe.

The enactment of this bill is needed to make applicable to the four tribes named the same rule of law that has applied for many years to most other tribes throughout the country—25 U.S.C. 373a.

The general law by its terms does not apply to the Five Civilized Tribes of Oklahoma—which are the four tribes named in this bill, plus the Creek Tribe of Oklahoma. The reason for the exception probably was the fact that a 1918 statute, 25 U.S.C. 375, gave the Oklahoma courts jurisdiction to probate the estates of deceased members of these tribes. The 1918 statute made no provision, however, for the estates of persons dying intestate without heirs.

In 1967 an escheat statute was enacted by the Congress for the Creek Tribe, and the enactment of the pending bill will cover the remaining four of the Five Civilized Tribes.

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR DISPOSITION OF CERTAIN FUNDS AWARDED TO THE TLINGIT AND HAIDA INDIANS OF ALASKA

The Clerk called the bill (H.R. 12858) to provide for the disposition of certain funds awarded to the Tlingit and Haida Indians of Alaska by a judgment entered by the Court of Claims against the United States.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. JOHNSON of Pennsylvania. Mr. Speaker, reserving the right to object, and I will not object; however, I do want to take this opportunity to congratulate the committee on reporting out this bill. Repeatedly, when such bills have come before the House where we pay out anywhere from $10 to $30 million, I have deplored the fact that usually the money is divided per capita among the Indians, and no money is ever set aside for tribal purposes. Whereas, here, there is $7 million and $4 million is being set aside for education and other worthy purposes.

So I say, the committee should be congratulated in doing this, and of course the Tlingit and Haida Indian Tribes should be congratulated for taking such a progressive step. It is regrettable that the other $3 million that is involved here, and is held in reserve, was not also allocated for education or some other good general tribal purpose.

Mr. HALEY. Mr. Speaker, if the gentleman will yield, I might say to the distinguished gentleman that the committee was somewhat discouraged that there was not a greater allocation of the funds for educational purposes at the disposal of the tribe, and the Department and the tribes, we hope, are going to remedy that situation by making more money available for educational purposes.

Mr. JOHNSON of Pennsylvania. Mr. Speaker, I thank the gentleman for his statement.

Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

H.R. 12858

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the unexpended funds and interest thereon on deposit in the Treasury of the United States to the credit of and otherwise invested by the Secretary of the Interior for the account of the Tlingit and Haida Indians of Alaska which were appropriated by the Act of July 9, 1968 (82 Stat. 307), to pay the judgment of the Court of Claims in the case entitled The Tlingit and Haida Indians of Alaska, et al. versus The United States, numbered 47900, after payment of attorney fees and expenses, may be advanced, expended, invested or used for any purpose and in any manner authorized by the Central Council of the Tlingit and Haida Indians of Alaska and approved by the Secretary of the Interior. Any of such funds that may be distributed under the provisions of this Act shall not be subject to Federal or State income taxes.

Mr. HALEY. Mr. Speaker, the Tlingit and Haida Indians of Alaska have recovered a judgment against the United States. The money to pay the judgment has been appropriated and is invested in interest-bearing accounts. The net amount now available is just over $7 million.

Under a 1965 statute the judgment money is available to pay the administrative expenses of the council, and the cost of program planning. The money may not be used, however, to carry out these programs until further authorized by Congress. This bill will give that authorization.

The pending bill follows the pattern that has been used for most tribes in recent years when per capita distributions were not contemplated. That pattern is to authorize the money to be used for any purpose authorized by the tribe and approved by the Secretary, after the Congress is satisfied that the tribe's general plans are sound. The committee feels that the plans are sound and that the tribal leadership is competent. Under these circumstances, further delay in making the money available for use is not justified.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AUTHORIZING LONGER TERM LEASES OF INDIAN LANDS AT YAVAPAI-PRESCOTT COMMUNITY RESERVATION, ARIZ.

The Clerk called the bill (H.R. 12878) to amend the act of August 9, 1955, to authorize longer term leases of Indian lands at the Yavapai-Prescott Community Reservation in Arizona.

There being no objection, the Clerk read the bill, as follows:

H.R. 12878

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the second sentence of section 1 of the Act of August 9, 1955 (69 Stat. 539), as amended (25 U.S.C. 415), is hereby further amended by inserting the words "Yavapai-Prescott Community Reservation" after the words "San Carlos Apache Reservation".

With the following committee amendments:

Page 1, line 6, strike out "Reservation' " and insert "Reservation,' "

Page 1, line 7, strike out "Reservation'." and insert "Reservation,'."

The committee amendents were agreed to.

Mr. HALEY. Mr. Speaker, the purpose of the bill, which was introduced by Mr. STEIGER, is to authorize lands on the Yavapai-Prescott Community Reservation to be leased for periods up to 99 years if a long-term lease will be in the best interest of the Indian owner.

For most reservations, the general law restricts the lease term to 25 years with an option to renew for 25 years—which is in effect a 50-year lease. Experience has demonstrated that some types of development cannot be financed by a lessee on the basis of a 50-year lease. Lending agencies will not lend money for construction on leased land unless the lease extends for a term that will permit the loan to be amortized, with sufficient leeway to permit refinancing in the event of a default. In practice, this frequently means a lease for more than 50 years.

The Yavapai-Prescott Community Reservation adjoins the city of Prescott. The proposed construction of a multimillion-dollar junior college, and a new high school, near the reservation will create a pressing need for new apartments and single family residences, and the reservation lands are ideally situated to capitalize on the growth of the city if adequate lease terms can be offered.

Long-term lease authority has been given to 18 other reservations where the need has been adequately demonstrated. Although leases up to 99 years are authorized, the Department of the Interior has been careful to limit the term to a shorter period—for example, 55, 65, or 75 years—when the shorter period will serve the need. The committee expects this practice to be continued.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

MICHAUD FLATS IRRIGATION PROJECT

The Clerk called the bill (H.R. 14855) to amend the act of August 31, 1954 (68 Stat. 1026), providing for the construction, maintenance, and operation of the Michaud Flats irrigation project.

There being no objection, the Clerk read the bill, as follows:

H.R. 14855

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 3 of the Act of August 31, 1954 (68 Stat. 1026), for the construction, maintenance, and operation of the Michaud Flats Irrigation project in the State of Idaho, is amended by adding thereto a new subsection (c) as follows:

"(c) The Secretary of the Interior is authorized to execute a contract required by subsection (b) of this section on behalf of any Indian who owns an undivided trust or restricted interest in a tract of land when (1) the contract has been signed by or on behalf of the holders of a majority not less than 50 per centum interest in the land, or (2) the Indian is a minor, or (3) the Indian has been adjudicated non compos mentis, or (4) the Indian's ownership interest in a decedent's estate has not been determined, or (5) the Indian cannot be located by the Secretary after a reasonable and diligent search and the giving of notice by publication, the Indian has been adjudicated non compos mentis."

With the following committee amendments:

Page 2, line 2, strike out "majority" and insert "not less than 50 percent".

Page 2, line 3, after "(2)", strike the remainder of the sentence and insert in lieu thereof "the Indian has been adjudicated non compos mentis."

The committee amendments were agreed to.

Mr. HALEY. Mr. Speaker, the purpose of the bill is to permit the Secretary of the Interior to sign water supply contracts on behalf of certain Indian owners of undivided interests in trust land within the Michaud division of the Fort Hall Indian Reservation,

and thereby permit the delivery of irrigation water to the Indian lands.

Construction of the Michaud division was originally authorized in 1931 and was reauthorized in 1954. The 1954 act provided, however, that before irrigation works could be constructed to serve the lands of the division, contracts must be signed by the landowners agreeing to certain limitations on water supply and to certain priorities of use. Pumps, main canals, and laterals have been constructed or are in the process of construction to serve all of the lands of the tribe, most of the lands of the individual Indians, and all the lands of non-Indians. Some owners of undivided interests in 19 allotments, however, have not signed the necessary contracts, and project works to serve those lands have not been constructed. The acreage covered by signed contracts totals 19,037 acres, and the acreage not covered by contract totals 1,963 acres.

The 19 allotments not under contract range in size from 20 to 160 acres. Each of these allotments is owned by more than one Indian as tenants in common. Some of the owners are minors. The Bureau of Indian Affairs has been able to get some, but not all, of the owners of these undivided interests to sign the contracts, but the failure of all owners to sign has prevented the delivery of water to these 19 allotments.

The bill as amended by the committee provides that if a contract has been signed by persons who own not less than a 50-percent interest in an allotment, the Secretary of the Interior may execute the contract on behalf of the other owners. This will permit the Indians holding a majority interest in the land, and who have executed the contracts, to share in the benefits that can be derived from irrigation.

The committee understands that the enactment of the bill as amended will permit the completion of water supply contracts for all of the allotments in the Michaud division.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

PROVIDING FOR DIFFERENTIATION BETWEEN PRIVATE AND PUBLIC OWNERSHIP OF LANDS IN ADMINISTRATION OF ACREAGE LIMITATION PROVISIONS OF FEDERAL RECLAMATION LAW

The Clerk called the bill (S. 2062) to provide for the differentiation between private and public ownership of lands in the administration of the acreage limitation provisions of Federal reclamation law, and for other purposes.

There being no objection, the Clerk read the bill as follows:

S. 2062

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the provisions of Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof and supplemental thereto) which limit the acreage of irrigable land which may receive irrigation benefits from, through, or by means of Federal reclamation works, shall not be applicable to lands owned by States, political subdivisions, and agencies, thereof, so long as such lands are farmed, primarily in the direct furtherance of a non-revenue-producing public function, as determined by the Secretary of the Interior.

SEC. 2. Irrigable lands owned by States, political subdivisions, and agencies thereof which do not fall within the provisions of section 1 may receive water from a Federal reclamation project, division, or unit if a valid recordable contract for the sale of such lands within ten years of the date of said contract has been executed under terms and conditions satisfactory to the Secretary of the Interior but without limitation upon selling price.

The purchasers of lands sold under the provisions of this section, or the heirs and devisees of such purchasers, if otherwise eligible under reclamation law to receive project water for the lands purchased, shall not be disqualified for delivery of water by reason of the amount of the purchase price paid for said lands.

SEC. 3. Lessees of irrigable lands owned by States, political subdivisions, and agencies thereof which are held to be subject to the acreage limitation provisions of Federal reclamation law and for which recordable contracts to sell have not been made may receive project water subject to the same acreage limitation provisions of Federal reclamation law as private land owners.

With the following committee amendments:

Page 2, line 3, strike out "Interior." and insert in lieu thereof "Interior; and to the extent that such lands continue to qualify for the exempted status afforded by this section they shall not be deemed to be excess lands for any purpose whatsoever under said reclamation laws."

Page 2, beginning on line 18, strike out all of section 3.

The committee amendments were agreed to.

Mr. JOHNSON of California. Mr. Speaker, S. 2062 is a bill which deals with the administration of the acreage limitation provisions of the Federal reclamation law; widely known as the 160-acre law. It does not, nor is it intended to reform, extend, revise, or repeal the acreage limitation statutes which have been a part of the reclamation program since it first started in 1902.

What the bill intends to do first is to clarify a situation which has arisen in the past 2 or 3 years as a result of a strained administrative interpretation of these statutes of long standing. Section 1 provides that water deliveries may be continued to acreages in excess of 160 acres if the farm in question is operated by a State or political subdivision thereof for nonrevenue producing purposes. This means that State agricultural extension farms of a research character, State penal farms for social rehabilitation, parks and other recreational facilities, and like operations may receive water without regard to the 160-acre limitation. For many years, the Bureau of Reclamation delivered water to these activities without regard to acreage limitation on the grounds that they were public enterprises. In 1966, a ruling by the Department set forth the premise that all non-Federal undertakings must be considered as private operations under the acreage law. Section 1 of S. 2062 will correct this situation. The committee has amended section 1 to cover those situations in the program where delivery to excess lands was authorized subject to interest payments on a share of the costs. Such interest payments may now be waived insofar as the excess lands are in qualified public farms operated for nonrevenue purposes.

Section 2 of S. 2062 deals with another aspect of the administration of acreage limitation statutes on State lands. The Federal law requires that recordable contracts must be executed to sell excess lands—over 160 acres per ownership—within 10 years at an appraised price if such excess lands are to continue to receive water. In certain cases, controlling State law requires that State lands be sold at auction: thus creating a situation where States may neither sell their lands or receive water for them. Section 2 will correct this situation by permitting States to execute recordable sales contracts without regard to the limitation on selling price normally applying to such lands.

Mr. Speaker, this bill as it appears before the House is noncontroversial in that the controversial provisions of it were deleted by a committee amendment to strike section 3. That provision would have let the States lease their otherwise excess lands in blocks of 160 acres on indefinite contracts to individual leaseholders. The administration felt and the Committee on Interior and Insular Affairs agreed that such an arrangement would allow benefits intended for individual family farm operators to flow to political subdivisions contrary to the basic spirit of the reclamation program.

I now believe that we have a bill that will allow the Bureau of Reclamation to operate its program dealing with State-owned lands in a manner that balances very carefully the best interests of the program and the public in general. For that reason, I commend it to my colleagues for approval.

Mr. McCLURE. Mr. Speaker, this bill, which was cosponsored by my colleague from Idaho (Mr. HANSEN), is in response to a problem that has arisen in a number of States, but primarily in Idaho and Washington. It is my intention to confine my remarks at this time to the bill as it affects my own State.

I want to make it clear that this bill does not raise the general question of the 160-acre limitation. Any problems in that regard must necessarily await the report of the Public Land Law Review Commission.

The Reclamation Act of 1902 and the Omnibus Adjustment Act of 1926 provided in part that no water would be delivered to any land in private ownership in excess of 160 irrigable acres.

The situation in Idaho arose following an opinion issued early in 1967 by the Solicitor of the Department of the Interior which interpreted the words "private ownership" as meaning all "non-Federal ownership."

Largely because of a series of events connected with the Columbia Basin

project, this provision has undergone an evolution in its interpretation. But it was not until 1967 that the Solicitor's opinion gave it broad application to all State agencies, and in Idaho we now have State-owned institutions which are threatened with a loss of water because they exceed the 160-acre limitation. The University of Idaho's experimental farm at Caldwell has 267 acres of land irrigated from a Federal project and the State school and hospital for the mentally retarded at Nampa has 384 such acres.

They were notified that water could no longer be delivered, but because of the legislation pending before us, both were granted temporary relief. I want to emphasize that these institutions are operating for the public good on a nonprofit basis.

At Nampa, the State of Idaho has had much success in rehabilitating the mentally retarded through vocational training. Dr. Terrell O. Carver, the State administrator of health, has reported to me that the majority of successfully trained and community placed residents have received the major portion of their preparation in the school's farm program.

At the Caldwell Agricultural Experiment Station, valuable research is conducted on breeding, nutrition, management, and other problems related to livestock in Idaho. It is one of six outlying branch stations in Idaho strategically located to serve Idaho's farmers and related industries.

At the present time, the State of Washington has brought legal action against the Secretary of the Interior in order to clarify the status of lands owned by States and their political subdivisions under the Federal reclamation law. I want to make it perfectly clear that passage of this bill should not be interpreted as an attempt to interfere with that litigation in any way. It would be wrong to conclude that Congress has found those State-owned lands to be private lands for the purpose of administering the acreage-limitation statutes.

Also, this bill is not intended to indicate that the committee agrees the basic law must be modified or the limitation on non-Federal lands removed. The sole purpose is to remove questions raised by the Solicitor's decision in 1967.

On the other hand, the legislation does point to a need for review of the 160-acre limitation. The philosophy upon which it was based remains valid, but the economics and the methods of farming have changed so that the figure is no longer realistic. It has ceased to achieve its stated purposes. However, as I said earlier, this bill is not intended to raise that basic issue.

The measure before us will eliminate the problem caused by the recent interpretation insofar as it applies to lands owned by a State or local governmental entity or subdivision. Essentially, it would exempt those lands operated for a nonprofit, public purpose and provide an equitable method by which the State can dispose of those lands which are in excess.

Certainly, Congress never intended to hamper public institutions operating for the public good. It is not our intention that this legislation should be interpreted to mean that the limitation applies to other State lands.

In conclusion, I would like to insert in the RECORD the text of a telegram I have received from Governor Samuelson indicating that this bill has the official support of the State of Idaho:

HON. JAMES A. MCCLURE,
Longworth Building,
Washington, D.C.

The State of Idaho is in support of H.R. 6245 which is currently a subject for hearing before your Committee. The Water Resource Board and staff has submitted a statement to you outlining the reasons for the State's support of this bill. I wish to have my endorsement of the Water Resource Board position entered into the record and my support noted for H.R. 6245.

DON SAMUELSON,
Governor of Idaho.

Mrs. MAY. Mr. Speaker, I would like to commend the distinguished chairman and all members of the Committee on Interior and Insular Affairs for dealing effectively with the problems designed to be resolved by approval of S. 2062, as amended by the committee.

This bill, as amended, will successfully deal with a situation involving State-owned lands located within the confines of the Columbia Basin reclamation project in my district of the State of Washington. With the continuing extension of irrigation into new areas of the project, this situation has become more critical with each passing year.

The State, under provisions of its constitution and regulations adopted pursuant thereto, is required to dispose of State school lands at public auction to the highest bidder. In such circumstances, the price offered by the successful bidder for Columbia Basin project land frequently exceeds the price limitation imposed by the antispeculation provisions of both the earlier effective Columbia Basin Project Act and reiterated in the October 1, 1962, amendment which brought the project under basic reclamation law.

Prior to the October 1, 1962, amendment to the project act, special legislative authority existed whereunder the landowner who purchased State land on the Columbia Basin project could, if otherwise eligible under the project act, receive project water for the land thus acquired without regard to the price paid. The October 1, 1962, amendment to the Columbia Basin Project Act, however, did not perpetuate the special legisative authority. Such lands were then viewed as "lands in private ownership" for purposes of acreage limitation and antispeculation control under the controlling provisions of section 46 of the act of May 25, 1926 (44 Stat. 649, 650, 43 U.S.C. 423e).

In these circumstances, the State is now entitled to a 160-acre nonexcess landholding in each irrigation district. The remaining irrigable State lands are not entitled to receive project water unless covered under a valid recordable contract or sold at a price not in excess of the current fair market value without consideration to the construction of irrigation works. For the most part, this has precluded sale of irrigable State lands at public auction. State-owned lands aggregating slightly less than 3,500 irrigable acres make up about 30 farm units in platted irrigation blocks on the project.

Mr. Speaker, S. 2062 as amended in the Committee on Interior and Insular Affairs, will resolve this problem because under its provisions the State may dispose of this described land at public auction, and the purchaser shall not be disqualified for delivery of project irrigation water by reason of the amount of the purchase price paid to the State for such lands.

Since State income from these lands goes to the school fund, the schools will benefit from the greater enumeration associated with the value of irrigated lands as compared with the value of dry lands.

I fully support S. 2062 as amended, Mr. Speaker, and commend my colleagues to its support also.

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

PERMISSION FOR SUBCOMMITTEE ON PUBLIC HEALTH AND WELFARE, COMMITTEE ON INTERSTATE AND FOREIGN COMMERCE, TO SIT DURING GENERAL DEBATE TODAY

Mr. ALBERT. Mr. Speaker, I ask unanimous consent that the Subcommittee on Public Health and Welfare of the Committee on Interstate and Foreign Commerce may sit during general debate today.

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

There was no objection.

PROVIDING THE GRADE OF LIEUTENANT GENERAL FOR OFFICER SERVING AS CHIEF, NATIONAL GUARD BUREAU

Mr. RIVERS. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15143) to amend title 10, United States Code, to provide the grade of lieutenant general for an officer serving as the Chief of the National Guard Bureau, and for other purposes.

The Clerk read as follows:

H.R. 15143

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That title 10, United States Code, is amended as follows:

(1) Section 3015(c) is amended to read as follows:

"(c) The Chief of the National Guard Bureau holds office for four years, but may be removed for cause at any time and may not hold that office after he becomes sixty-four years of age. He is eligible to succeed himself. An officer now or hereafter serving as Chief of the National Guard Bureau shall

be appointed as a Reserve in his armed force in the grade of lieutenant general for services in the Army National Guard of the United States or the Air National Guard of the United States, as the case may be, while serving as the Chief of the National Guard Bureau. The position of Chief of the National Guard Bureau is in addition to the number of lieutenant general positions authorized by section 3066, 3202, 8066, or 8202 of this title, or any other provision of law."

(2) Section 3962 is amended by adding the following new subsection:

"(d) Upon retirement or being granted retired pay, a reserve commissioned officer of the Army who has served as Chief of the National Guard Bureau in the grade of lieutenant general may, in the discretion of the President, by and with the advice and consent of the Senate, be retired in, and granted retired pay based on, that grade."

(3) Section 8962 is amended by adding the following new subsection:

"(c) Upon retirement or being granted retired pay, a reserve commissioned officer of the Air Force who has served as Chief of the National Guard Bureau in the grade of lieutenant general may, in the discretion of the President, by and with the advice and consent of the Senate, be retired in, and granted retired pay based on, that grade."

(4) The catchlines of section 3962 and 8962 are each amended by deleting ": regular commissioned officers."

(5) The analysis of chapter 369 is amended by striking out "regular commissioned officers" in item 3962.

(6) The analysis of chapter 869 is amended by striking out "regular commissioned officers" in item 8962.

The SPEAKER. Is a second demanded?

Mr. KOCH. Mr. Speaker, I demand a second.

Mr. O'KONSKI. Mr. Speaker, I demand a second.

The SPEAKER. Is the gentleman from Wisconsin opposed to the bill?

Mr. O'KONSKI. Most emphatically, Mr. Speaker.

The SPEAKER. The gentleman from Wisconsin qualifies.

Without objection, a second will be considered as ordered.

There was no objection.

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

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

A call of the House was ordered.

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

[Roll No. 47]

Alexander	Brown, Ohio	de la Garza
Anderson, Ill.	Burleson, Tex.	Dellenback
Anderson, Tenn.	Burton, Utah	Dickinson
Annunzio	Bush	Diggs
Ashbrook	Button	Dorn
Ashley	Byrnes, Wis.	Dulski
Ayres	Cabell	Dwyer
Barrett	Carter	Edwards, Ala.
Belcher	Cederberg	Erlenborn
Bell, Calif.	Clark	Evans, Colo.
Berry	Clawson, Del	Fascell
Bevill	Clay	Feighan
Bow	Conyers	Findley
Brasco	Corman	Fish
Brock	Coughlin	Fisher
Brotzman	Cramer	Frelinghuysen
Brown, Calif.	Daddario	Friedel
Brown, Mich.	Davis, Wis.	Fulton, Tenn.
	Dawson	Galifianakis
Gallagher	Madden	Scheuer
Garmatz	Mailliard	Schwengel
Gaydos	Mann	Shriver
Goldwater	Mayne	Sisk
Gray	Michel	Smith, N.Y.
Green, Oreg.	Morton	Staggers
Grover	Myers	Stanton
Hagan	Nix	Steed
Halpern	O'Hara	Steiger, Wis.
Hanley	Ottinger	Stephens
Hanna	Pickle	Stubblefield
Hansen, Wash.	Pike	Stuckey
Harsha	Pirnie	Sullivan
Hébert	Poage	Taft
Hogan	Podell	Teague, Calif.
Holifield	Pollock	Teague, Tex.
Horton	Powell	Tiernan
Howard	Pryor, Ark.	Tunney
Jarman	Pucinski	Ullman
Jones, Tenn.	Purcell	Vander Jagt
Keith	Quie	Waldie
Kirwan	Railsback	Watkins
Kleppe	Rarick	Watson
Kluczynski	Reid, Ill.	Weicker
Kuykendall	Rhodes	Whalley
Leggett	Roe	Wilson, Charles H.
Long, La.	Rostenkowski	Wold
Lukens	Roudebush	Wright
McCarthy	Ruppe	Wyatt
McEwen	Ruth	Zion
Macdonald, Mass.	St Germain	Zwach
MacGregor	St. Onge	
	Sandman	

The SPEAKER pro tempore (Mr. ALBERT). On this rollcall 278 Members have answered to their names, a quorum.

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

PROVIDING THE GRADE OF LIEUTENANT GENERAL FOR OFFICER SERVING AS CHIEF, NATIONAL GUARD BUREAU

The SPEAKER pro tempore. The gentleman from South Carolina (Mr. RIVERS), will be recognized for 20 minutes, and the gentleman from Wisconsin (Mr. O'KONSKI) will be recognized for 20 minutes.

The Chair recognizes the gentleman from South Carolina (Mr. RIVERS).

(Mr. RIVERS asked and was given permission to revise and extend his remarks, and include extraneous material.)

Mr. RIVERS. Mr. Speaker, I rise in support of H.R. 15143, and urge its passage by the House.

EXPLANATION OF THE BILL

The purpose of the bill is as stated in its title—it would provide the grade of lieutenant general, a three-star rank, for an officer serving as the Chief of the National Guard Bureau.

BACKGROUND

Existing law providing the grade of major general, two-star rank, for the Chief of the National Guard Bureau was passed in 1921. At that time, Congress, in stipulating that the grade of the Chief of the National Guard Bureau should be a major general, did so because of the substantial responsibilities which accompany this position.

At that time, that is in 1921, the National Guard strength totaled 56,106 men and officers in 32 States and required an annual Federal appropriation of $12,177,750.

Almost a half a century has passed since Congress took this initial action.

During the intervening years, the National Guard has increased tremendously both in size and importance to the various States of our Nation.

Today, the National Guard consists of almost half a million men and officers in 50 States, the District of Columbia, and the Commonwealth of Puerto Rico, with an annual appropriation of more than $1 billion.

The tremendous growth of the National Guard has paralleled the growth of our Nation, and has become an absolutely indispensable adjunct to both the Federal Government as well as the Governors of the several States.

This tremendous increase in the size of the National Guard and its importance to our Nation has resulted in a similar growth in the responsibilities and demands made upon the Office of the Chief of the National Guard Bureau, the officer who has the basic responsibility for making this organization function efficiently to satisfy both Federal and State needs.

UNIQUE RESPONSIBILITIES OF THE CHIEF, NATIONAL GUARD BUREAU

Let me briefly identify some of the unique responsibilities of the Chief of the National Guard Bureau:

First. He has management responsibilities for two separate Reserve components. He is responsible for both the Army National Guard with a strength of slightly less than 400,000 officers and men, as well as the Air National Guard with a strength in excess of 86,000 personnel.

Second. The Chief of the National Guard Bureau by virtue of his responsibility for two Reserve components, must report to both the Chief of Staff Army, and the Chief of Staff Air Force, on the administration of these programs.

Third. The Chief of the National Guard Bureau has the prime responsibility for insuring that every unit of the Guard and every individual of the Guard is ready to meet both Federal mission requirements as well as State mission requirements. For example, in their State role, the Army and Air National Guard has been called to State active duty for an average of 40 times each year since 1965 to control riots and maintain the domestic peace.

Fourth. The Chief of the National Guard Bureau has the responsibility of both justifying and administering an annual budget in excess of $1 billion. This responsibility alone, in my judgment, would completely justify making this office a three-star billet.

These are just a few of the unique and manifold responsibilities of the Chief of the National Guard Bureau. If we contrast these responsibilities to those charged to military officers in the Regular Establishment, we find almost without exception that such officers now hold three-star rank or better. It is evident that in the interest of equity and justice, as well as good management, the Chief of the National Guard Bureau must be an officer of three-star rank.

PRESENT INCUMBENT

The officer presently acting as Chief of the National Guard Bureau is Maj. Gen. Winston P. Wilson. General Wilson was first assigned to the National Guard Bureau in 1950, and has held the rank of major general since 1955. He has performed as Chief of the National Guard Bureau since 1963. He is well known to most Members of Congress who at one

time or another have had reason to contact him in regard to National or State Guard problems.

I am certain that almost without exception, the Members of Congress who have come to know General Wilson agree that he is an outstanding officer and a dedicated public servant. However, despite this man's magnificent record and the tremendous responsibilities assigned him as Chief of the National Guard Bureau, an objection has been raised to the action being considered by the House today.

Apparently the objection to this bill is not directed to the merits of the legislation, but rather to the individual who would be the immediate beneficiary of higher rank if this legislation were passed. In short, as I understand it, those who might object, object to General Wilson and not the purpose of this legislation.

CRITICISMS OF GENERAL WILSON

General Wilson has been accused of attempting to "politicize the people who are under his command" by issuing "instructions that the people under his command should keep their porch lights on and have their automobile lights on as a counterdemonstration to the November moratorium."

I appreciate and subscribe to the concern of any Member of Congress, or any citizen of this country who objects to any effort by the military to control political thought or action.

I quite agree that such action would not only be reprehensible but would also be dangerous. However, the action taken by General Wilson was clearly not a violation of this principle or even remotely of this nature.

GENERAL WILSON'S MESSAGE REGARDING VETERANS DAY

After becoming aware of the objections raised on March 3, 1970, to the passage of H.R. 15143 on the Consent Calendar, I contacted General Wilson to determine what action he had taken that had created this misunderstanding.

General Wilson therefore provided me with a copy of his memorandum to the various adjutants general of the National Guard urging all National Guardsmen to join in a national effort to underscore the Nation's determination to follow a prudent course in Vietnam.

If there is no objection, I will include that memorandum, dated November 3, 1969, at this point in the RECORD:

NOVEMBER 3, 1969.

To: Adjutants general of the 50 States, District of Columbia, and Commonwealth of Puerto Rico.

On November 11, our nation will once again pay tribute to those who have made the supreme sacrifice in the defense of their country. This year's ceremony, as for the past number of years, will take place while our armed forces are still locked in battle in Vietnam.

In that war, at least 75 National Guardsmen from the four mobilized Air Guard and eight Army Guard units which were deployed to the combat zone or who volunteered to serve in Vietnam, have given their lives. One of our mobilized Army Guard units is still fighting there. Many former Air Guardsmen who became active Air Force pilots have been shot down over North Vietnam and are now prisoners of war suffering indignities and torture at the hands of a cruel, inhumane enemy.

I find unfortunate the fact that just a few days following the day of national tribute to Americans who have fallen in battle, many other Americans will demonstrate in many cities to demand a course of action that not only would betray those Americans who already have suffered and died in Vietnam, but also would mean abandonment of our allies and a revocation of our pledged word.

Certainly, every American wants to end the war. Every American wants peace. However, the desire for a speedy conclusion of the conflict should not be so great that we become blind to the realities of such a short-sighted course. We do not, through emotional confusion, want to pursue an impetuous action at the price of capitulation and surrender. We should move ahead coolly, methodically and orderly—as I believe we are doing—in a manner which will give us the greatest guarantee of lasting results.

I am concerned that those Americans who seek a capitulatory solution are creating a feeling of comfort in Hanoi and are leaving the enemy with the impression that their vocal and active groups represent the majority opinion within the United States.

As a result, I think the time has come for all of us to awaken to the difficulties these misguided activities create for our nation's efforts to bring about an honorable peace in Vietnam; how disruptive they must be to negotiations in Paris. It's time for Americans to unite behind a move that will demonstrate the true majority opinion in this country. I believe as a matter of national honor, the will of the American people will be to show Hanoi that America's overwhelming public opinion is *not* represented by those who carry the enemy flag in our streets.

Undoubtedly, many Guardsmen may be called upon to protect the rights of these citizens to protest. To act with restraint in the face of what many of the Guardsmen, I know, believe to be a dishonor to our country requires a patience and understanding that are above and beyond what most Americans are ever asked to perform. Yet, I know Guardsmen will act with the restraint and orderliness that has marked their past efforts to maintain peace in our cities and on our campuses.

Because of my grave concern that the moratorium activities might be misunderstood in North Vietnam, however, I suggest that we ask even more of our Guardsmen. Therefore, I urge that we encourage all National Guardsmen, as citizens, to join in a national effort that will underscore the nation's determination to follow a prudent course in Vietnam. To do this, I urge that from 11 November through 16 November 1969, National Guardsmen:

1. Fly the American flag at their homes and businesses.

2. Drive their automobiles with the headlights turned on and turn their porch lights on at home.

I hope, too, that Guardsmen will encourage others in their families and in their communities to do the same.

WINSTON P. WILSON,
Major General, Chief, National Guard Bureau.

In addition, I have here a memorandum directed to me by General Wilson explaining this matter in its entirety. With the indulgence of the House, I would like to read that memorandum in its entirety:

MARCH 13, 1970.

MEMORANDUM FOR THE HONORABLE H. MENDEL RIVERS

Subject: Message to Adjutants General regarding Veterans Day.

1. In accordance with a request from your office, herewith is the background information concerning the Veterans Day message I sent to the Adjutants General.

2. There are a number of reasons for the message having been sent:

a. Veterans Day was approaching, and in an effort to create better communications between the Guard Bureau and the States, a procedure of sending messages from the Chief has become customary. Veterans Day, I believed, offered an opportunity for Guardsmen to show their respect for their nation.

b. A number of our National Guard units, for the most part, had just returned from combat in Vietnam. Many of our Guardsmen had given their lives in battle, a factor that I believed could influence the reactions of other Guardsmen.

c. All intelligence information received to that time indicated clearly that violence might erupt and that the National Guard, as it often does, would be called upon to restore the peace and maintain order.

3. Because of a growing antagonism among Americans toward such activities, I believed that taking note of the moratorium activities in a message to the Adjutants General might help focus their attention on the need for National Guardsmen to act with restraint in dealing with these groups or individuals. Thus, I thought a message from the Chief of the Bureau might result in broad dissemination of this warning and, therefore, create a stronger impression among the troops than normally they would have received.

4. Additionally, in keeping with the tradition of the Guard, I thought that the development of a constructive effort into which they could express their dedication to their nation might alleviate some of the Guardsmen's personal feelings. In other words, I thought I was suggesting an outlet for their emotions that would offset any animosity they might develop from their face-to-face confrontation with the demonstrators.

5. As further background, I should emphasize that for the past few years the "theme" of our National Guard program has been based on patriotism. Our billboards, posters and radio and television public service announcements were geared to that thought. In 1968, we devoted our efforts to the Pledge of Allegiance. In 1969, our theme was "Patriotism is Alive . . . And Living in the National Guard."

6. I think anyone who reads the complete message will find there were no politics involved whatsoever. I did not call for a "counter-demonstration," as such, although that unfortunate term crept into some of the press accounts. The message was sent to the Adjutants General the morning of November 3, many hours before the President addressed the nation to call for national unity. I was not aware of the contents of his speech, and, therefore, I don't believe I can be accused either of partisanship or of doing something merely to support the President.

7. In other words, Mr. Chairman, my motives were patriotic, not political. I believed that under the circumstances I've already cited I should—as Chief of the National Guard Bureau—exercise the responsibility of that position to call for restraint and patience by our Guardsmen if confrontations did materialize. Finally, I did not think that flying the American flag, as cherished a monument to our freedom that one can find, could be interpreted as either defiance to or support of any political or ideological view. I should like to emphasize, in conclusion, that the message was in no way an order compelling Guardsmen to carry out any activity. I merely suggested that a display of patriotism on that particular occasion would be in keeping with the tradition of the National Guard.

WINSTON P. WILSON,
Major General, Chief, National Guard Bureau.

In conclusion, Mr. Speaker, I trust that this memorandum from General

Wilson will place this matter in proper perspective. His action was purely a suggestion as to a course of action which could be taken by National Guardsmen if they so desired. I am sure that not a single guardsman had the slightest impression that he was being directed or required to take any action on this subject. The memorandum simply suggested the possibility that guardsmen might wish to reflect their patriotism on Veterans Day by taking the action outlined in General Wilson's memorandum.

COMMITTEE ACTION

The Committee on Armed Services, on February 3, 1970, approved this bill and recommended its passage by the House. The report on the bill unfortunately contains a clerical error. The report indicates that the bill was reported unanimously. It was not. One of the members of the committee stated that he was not going to object to the legislation but he would "like to be recorded as voting against it."

I trust my remarks will now place this entire matter in proper perspective and we can pass this bill and provide the office of the Chief of the National Guard Bureau with the rank it so richly deserves.

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

Mr. RIVERS. I yield to the distinguished gentleman from Mississippi.

Mr. MONTGOMERY. Mr. Speaker, I join in supporting the gentleman's remarks, and I hope this bill will receive very strong support. I understand General Wilson suggested these young Americans fly the flag and show patriotism, and that it was more of a suggestion than anything else.

I would also like to comment to the gentleman in the well that on moratorium day I was attached to the District of Columbia National Guard when the moratorium was going on in Washington, and I saw the Vietcong flag and the so-called Peace flag put up by the moratorium people flying at the Washington Monument.

For some reason our park personnel had taken down the American flags and the antiwar demonstrators had run up the Vietcong flag.

I support the gentleman from South Carolina. I see nothing wrong with being patriotic.

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

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

Mr. JACOBS. Does this bill carry with it, in effect, a pay raise for this general?

Mr. RIVERS. All the emoluments that go with it are involved. It raises the position to a three-star rank.

Mr. JACOBS. And the Department of Defense has objected to the bill?

Mr. RIVERS. Yes, I believe so.

Mr. JACOBS. According to the committee report, the witness from the Department testified against it.

Mr. RIVERS. It would not make any difference, so far as I am concerned. We do not take orders from the Department.

Mr. JACOBS. But the bill does carry with it a pay raise. And I am against it.

The SPEAKER pro tempore. The time of the gentleman has expired. All time of the gentleman from South Carolina has expired.

Mr. O'KONSKI. Mr. Speaker, I yield 5 minutes to the gentleman from Indiana (Mr. BRAY).

Mr. BRAY. Mr. Speaker, I believe it is important that someone emphasize there are some fundamental reasons why the Chief of the National Guard Bureau is unique among the Reserve component chiefs.

First of all, he is the only one of the component chiefs who has responsibilities for managing components from two services—the Army and the Air Force. Each of these two components has its own separate command structure, its own special operational procedures, its own directive system, and each has its own distinct traditions. Dealing with the problems of both the Army Guard and the Air Guard places a great demand for the background knowledge the Chief of the Bureau must possess in dealing with the top military and civilian leadership of both the Army and the Air Force. Of course, in that respect, he not only deals with that high-level leadership—he is also responsible to the leadership of both the Army and the Air Force.

Quite significant, too, I believe, is the fact that only the Chief of the Bureau, among the component chiefs, is responsible for insuring individual and unit readiness to meet both State and Federal missions. The Reserve chiefs and the Reserves have not had to face up to the responsibility of quelling civil disturbances, for example, while the National Guard has been called upon to perform that unpleasant duty time after time. The Guard also has responsibilities in civil disasters that the other components do not face. When floods, hurricanes, and forest fires threaten any section of the Nation, the guardsmen are the first organized military group called.

By the same token, no major war has ever been fought by this country without calling upon the National Guard. The record speaks for itself on this matter, so I need not dwell on that.

Furthermore, the budget of the National Guard Bureau—in excess of a billion dollars—is by far the largest of any of the Reserve-type components. The Chief of the Bureau administers six of the 13 separate defense appropriations for the components. Additionally, the Guard Bureau is the only agency among the components with operating responsibilities as well as staff agency responsibilities for budgetary matters. In its role as a budget operating agency, the Bureau allots to the National Guard of the 50 States, the Commonwealth of Puerto Rico and the District of Columbia. In that sense—where the Chief of the Bureau exercises a span of control over what is tantamount to 52 joint headquarters—he holds the broadest span of control of any of the component chiefs. By comparison, the Chief of the Army Reserve manages the Army Reserve primarily through Continental Army Command and the U.S. Army Administration Center. The Chief, Air Force Reserve manages his force primarily through Headquarters Air Force Reserve and the Air Reserve Records Center. The Chief, Naval Reserve Training Command manages the Naval Reserve surface fleet through 10 naval districts. The Chief, Naval Air Reserve manages the Naval Air Reserve through 18 air stations and training units, and the Director of the Marine Corps Reserve manages his force through six Marine Corps districts, the 4th Marine Division, and the 4th Marine Air Wing.

Another reason for citing special significance to the position of Chief, National Guard Bureau, is the fact that the Guard represents the largest Ready Reserve unit program in the Nation. The nearly half million guardsmen comprise more than half of all the Selected Reserves. On the ground, the Army Guard has eight of the nine combat divisions allocated to the various components, and 18 of the 21 separate combat brigades. In addition, the Army Guard provides all of the on-site Nike Hercules batteries assigned to the Reserve Forces. On the air side, the Air National Guard mans 24 of the 38 flying wings allocated to the Reserve-type elements, and 92 of the flying squadrons of a total of 190 squadrons allocated the Reserve Forces. That is approximately half of the flying squadrons in the Reserve Forces.

Under any careful analysis, the responsibilities of the Chief of the National Guard Bureau show up to be so much more overwhelming than the chiefs of any of the other components that I believe that position deserves the three-star rank being requested in this bill.

Mr. O'KONSKI. Mr. Speaker, I now yield 7 minutes to the gentleman from New York (Mr. KOCH), and if he needs more time, I still have a few minutes left.

Mr. KOCH. Mr. Speaker, I would like to address myself to some of the arguments raised by the distinguished chairman of the committee, the gentleman from South Carolina (Mr. RIVERS), whom I respect, but whose arguments I would suggest are not persuasive.

When public attention was first paid to what General Wilson said, I was outraged. Irrespective of how one feels about this war—and we are split in this House and in this country—it seems to me that almost everybody does believe that the military should never enter the political arena. If a general decides that he wants to participate in a demonstration out of uniform or run for political office, or if a soldier wants to get into a demonstration out of uniform, that is their right; but, in uniform and in direct command they do not have this right. That distinguishes us from other forms of government.

I do not think anybody in this House would want to see a government like the Greek junta. There they let the military involve itself in politics and we know what happened. And I do not believe, either, that we would like to see a situation arise where General Wilson would say to his men, "You know, they are debating the war in Vietnam down in Congress tomorrow. Why don't all the members of the National Guard go down there and fill the galleries and show by

their physical presence in uniform that they are opposed to what they are doing down on the floor." You know, they could even bring their guns in here, because under the regulations of the Capitol, men in uniform are entitled to carry rifles with them while in the Capitol. We would be very distressed by that.

I say that when a general sends out an official directive urging his subordinates to participate in a political demonstration, he is entering the political arena. I urge you to put aside how you might feel about the war, because this is not the issue. The issue is whether or not the military can get involved in politics.

When General Wilson spoke, he said the following—and my good friend, the chairman of the committee, the gentleman from South Carolina (Mr. RIVERS), quoted a part of it, but I want to give you another part which is different from the part that he read. This is a quote:

I find unfortunate the fact that just a few days following the day of national tribute to many Americans who have fallen in battle, many other Americans will demonstrate in many of our cities to demand a course of action that not only would betray those Americans who already have suffered and died in Vietnam, but also would mean abandonment of our allies and a revocation of our pledged word.

He has a right to his private opinion, but he is talking about 100 Members of the House who might feel that we ought to get out of Vietnam, and he is saying that we are betraying our country. However, I do not believe you want a general, as a general, casting aspersions on other Members of the House. Each of us is trying to do our job as a Congressman as God gives us the light to see it.

General Wilson goes on to say this:

Because of my grave concern that the moratorium activities might be misunderstood in North Vietnam, however. I suggest that we ask even more of our Guardsmen. Therefore, I urge that we encourage all National Guardsmen, as citizens, to join in a national effort that will underscore the nation's determination to follow a prudent course in Vietnam. To do this, I urge that from 11 November through 16 November 1969, National Guardsmen: 1. Fly the American flag at their homes and businesses. 2. Drive their automobiles with the headlights turned on and turn their porch lights on at home.

I am a veteran of World War II. I honor Veterans Day—that is the 11th of November. Veterans Day does not go through November 16. It just happens that the moratorium in November took place from the 13th through the 16th of November. Clearly, General Wilson's "national effort" was to be a counter-demonstration.

I really resent, and bitterly so, when people on one side or the other side of the Vietnam issue think they can preempt the use of the American flag. I think it is our symbol of freedom. It belongs to all. It does not belong just to those who believe we ought to be fighting and dying in Vietnam. Those who are opposed to the war have the same right to that flag. I do not think it should be slighted or sullied, and I especially do not think it should be used in a political way.

I give you my word that had it been General Shoup of the Marines, who is opposed to the war, who had sent out word to his command, "Join the protest against the war and participate in the November demonstration." I would have thought that an outrageous act even though I would have agreed with his position on the war. Mr. Speaker, it is simply wrong for the military to do that. When the general tells his people to drive with their lights on and keep their porch lights burning, and to do this not just on November 11, but also on November 12th, 13th, 14th, 15th, and 16th he is not celebrating Armistice Day—Veterans Day. He is engaging in a counter-protest to the November moratorium which took place in that period. He is talking about a political demonstration to counter the moratorium. That is wrong. We do not want that.

Mr. Speaker, this country is sufficiently divided that we do not want the military to divide us even further.

If you should not be concerned about the separation of the military from affairs political, I would urge you to simply accept the fact that the Department of Defense opposes this bill.

Mr. Speaker, it is all good and well to say, "What do I care about the Department of Defense and the fact that they oppose the bill." But the Department of Defense is always being brought into the debate on this floor to say, "We need this; we have to spend that." But when the Department of Defense takes a position contrary to the proponent's argument, it is not consistent suddenly to say that the Department's position is of no consequence.

I, therefore, urge you to vote this bill down.

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

Mr. KOCH. I yield to the gentleman.

Mr. BIAGGI. Just for the sake of argument, assuming that General Wilson was incorrect in his position and the bill was defeated, how long would the gentleman suggest that he be punished for this dereliction of duty, if you will?

Mr. KOCH. Should his nomination come up again, my action would be determined by what General Wilson did in the interim to recognize his error. His latest communication to Chairman RIVERS, however, indicates that he continues to think what he did was correct.

The SPEAKER pro tempore. The time of the gentleman from New York has expired.

Mr. O'KONSKI. Mr. Speaker, I yield the gentleman 1 additional minute.

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

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

Mr. BINGHAM. I thank the gentleman for yielding and I would like to commend the gentleman highly for bringing this matter to the attention of the House. I agree with everything he has said in his characterization of this general's performance last November. I think it was an outrage.

However, my vote—and I will vote "no" on this bill—will be brought forth by the opposition of the Department of Defense to the bill, on the ground that I do not believe we should act in a particular case of this kind in opposition to their views.

I am not voting "no" because of the individual's performance, this is a general proposition.

Mr. KOCH. Mr. Speaker, may I just respond to that by saying that when this matter came to my attention I wrote to the Secretary of Defense and asked him to take action. Instead, the Department of Defense defended the general's actions.

The only way the Congress can exert its will and can have civilian power over the military is to do what I am asking the Members to do today.

The SPEAKER pro tempore. The time of the gentleman from New York has again expired.

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

Mr. O'KONSKI. Mr. Speaker, I will yield 1 additional minute to the gentleman from New York in order to answer a question from the gentleman from South Carolina (Mr. RIVERS), the chairman of the committee.

Mr. RIVERS. Mr. Speaker, will the gentleman agree that the position of the Chief of the National Guard Bureau has more responsibility than it had when it was created?

Mr. KOCH. I do not doubt that for a minute.

Mr. RIVERS. Mr. Speaker, will the gentleman agree——

Mr. KOCH. Mr. Speaker, I would rely on the Department of Defense's position on that matter. They have said in this case the elevation in rank is not needed.

Mr. RIVERS, I am sure the gentleman from New York has followed the recommendations of the Department of Defense, and has voted on all of the recommendations that they have sent here?

Mr. KOCH. No, I often find myself in disagreement with the Department of Defense, but I consider them as experts in certain particular fields.

Mr. RIVERS. Did the gentleman vote against this bill when we had it up last year?

Mr. KOCH. With respect to this item? I can only say if it came in on the Consent Calendar—which I suppose it did, and I was not alerted to it, I may have. It was only by the grace of God, if you will, that I was alerted to it this time.

Mr. RIVERS. Mr. Speaker, I will state to the gentleman from New York that it was in the authorization bill last year that authorized all the money for the defense hardware. I am sure the gentleman from New York knows whether or not he voted for that particular bill.

Mr. KOCH. I must say that I believe I voted against it.

Mr. RIVERS. I thank the gentleman very much.

The SPEAKER pro tempore. The time of the gentleman from New York has again expired.

Mr. O'KONSKI. Mr. Speaker, I yield 1 additional minute to the gentleman from New York so that he may reply to a question from the gentleman from New York (Mr. RYAN).

Mr. KOCH. Mr. Speaker, I appreciate the gentleman yielding me the additional time.

Mr. RYAN. Mr. Speaker, I appreciate the gentleman from Wisconsin yielding this additional time to the gentleman from New York.

Mr. Speaker, as I recall when the gentleman from New York quoted from the memorandum from the Chief of the National Guard Bureau, the memorandum urged all National Guardsmen, to drive their automobiles with the headlights turned on and to burn their porch lights at home for 6 days. Would the gentleman characterize that as a mere suggestion?

Mr. KOCH. It was more than a mere suggestion. He used the word "urged." And when you get a directive from the general and you happen to be a private, and he urges you to do something, you do it with alacrity.

Mr. RYAN. That is my point. A suggestion made by a general is tantamount to an order, especially when it comes to National Guardsmen from a general who is the Chief of the National Guard Bureau; is that correct?

Mr. KOCH. That is indeed true.

Mr. Speaker, I would urge that this body defeat H.R. 15143 providing for the promotion of the Chief of the National Guard Bureau from a major to a lieutenant general.

The present Chief of the National Guard is Maj. Gen. Winston P. Wilson. It was General Wilson who last November sent an official memorandum to the 50 States' adjutants general urging that the country's 500,000 National Guardsmen provide a counter demonstration to the moratorium activities. The National Guard Chief specifically recommended that National Guardsmen:

First, fly the American flag at their homes and businesses; and

Second, drive their automobiles with the headlights turned on and turn their porchlights on at home.

This "national effort," as General Wilson called it, to "underscore the Nation's determination to follow a prudent course in Vietnam" was to last 6 days—from Tuesday, November 11, through the weekend's moratorium activities ending November 16.

I submit, Mr. Speaker, that in sending this politically based official directive, General Wilson acted irresponsibly as a military officer and abused his position is Chief of the National Guard Bureau. I believe that this is not the time to reward him with a promotion.

No matter how strong this body's disagreements may be over Vietnam or any other issue of foreign policy, I am certain that few would disagree that basic in our democratic form of government is an essential separation of politics and the military. History has too often demonstrated that when this separation breaks down, civic freedom is lost and government of and by the people perishes.

Clearly, our Nation cannot let the military engage in or provide political demonstrations. Since our founding, men while in uniform, from privates to generals, have been barred from engaging in political demonstrations and rightly so. General Wilson out of uniform is free to do what he wishes and support any position, including protests favoring the war in Vietnam, as well as those opposing that war. He does not have the right, however, in his capacity as a general to issue a directive urging his men to engage in a political demonstration.

Not only was General Wilson in uniform, but more important he was using his official capacity as the National Guard Chief to urge the members of his command to undertake actions which could only be interpreted as constituting a political demonstration. If we reward this kind of activity with a promotion we endanger our democratic form of government.

It should be noted that the Department of Defense has not recommended the bill. In fact, it has opposed it. At stake is not an item of national defense, but rather the promotion of an individual who has debased the military. Perhaps we should consider, not the promotion of the general, but the removal of a star.

Major General Wilson's paper follows:

MAJ. GEN. WINSTON P. WILSON'S MEMORANDUM OF NOVEMBER 3, 1969

From: NG Departments of the Army and Air Force, Washington, D.C.

To: All groups, 50 States and Puerto Rico.

Copies to: White House (Mr. Butterfield), Secretary of Defense, Secretary of the Army, Secretary of the Air Force.

On November 11, our nation will once again pay tribute to those who have made the supreme sacrifice in the defense of their country. This year's ceremony, as for the past number of years, will take place while our armed forces are still locked in battle in Vietnam.

In that war, at least 75 National Guardsmen from the four mobilized Air Guard and eight Army Guard units which were deployed to the combat zone or *who volunteered to serve in Vietnam*, have given their lives. One of our mobilized Army Guard units is still fighting there. Many former Air Guardsmen who became active Air Force pilots have been shot down over North Vietnam and are now prisoners of war suffering indignities and torture at the hands of a cruel, inhumane enemy.

I find unfortunate the fact that just a few days following the day of national tribute to many Americans who have fallen in battle, many other Americans will demonstrate in many of our cities to demand a course of action that not only would betray those Americans who already have suffered and died in Vietnam, but also would mean abandonment of our allies and a revocation of our pledged word.

Certainly every American wants to end the war. Every American wants peace. However, the desire for a speedy conclusion of the conflict should not be so great that we become blind to the realities of such a shortsighted course. We do not, through emotional confusion, want to pursue an impetuous action at the price of capitulation and surrender. We should move ahead cooly, methodically and orderly—as I believe we are doing—in a matter which will give us the greatest guarantee of lasting results.

I am concerned that those Americans who seek a capitulatory solution are creating a feeling of comfort in Hanoi and are leaving the enemy with the impression that their vocal and active groups represent the majority opinion within the United States.

As a result, I think the time has come for all of us to awaken to the difficulties these misguided activities create for our nation's efforts to bring about an honorable peace in Vietnam, how disruptive they must be to negotiations in Paris. It's time for Americans to get behind a move that will demonstrate the true majority opinion in this country. I believe as a matter of national honor, the will of the American people will be to show Hanoi that America's overwhelming public opinion is *not* represented by those who carry the enemy flag in our streets.

Undoubtedly, many Guardsmen may be called upon to protect the rights of these citizens to protest. To act with restraint in the face of what many of the Guardsmen, I know, believe to be a dishonor to our country requires a patience and understanding that are above and beyond what most Americans are ever asked to perform. Yet, I know Guardsmen will act with the restraint and orderliness that has marked their past efforts to maintain peace in our cities and on our campuses.

Because of my grave concern that the moratorium activities might be misunderstood in North Vietnam, however, I suggest that we ask even more of our Guardsmen. Therefore, I urge that we encourage all National Guardsmen, as citizens, to join in a national effort that will underscore the nation's determination to follow a prudent course in Vietnam. To do this, I urge that from 11 November through 16 November 1969, National Guardsmen: 1. Fly the American flag at their homes and businesses. 2. Drive their automobiles with the headlights turned on and turn their porch light on at home.

I hope, too, that Guardsmen will encourage others in their families and in their communities to do the same.

WINSTON P. WILSON,
Major General, Chief,
National Guard Bureau.

The SPEAKER pro tempore. The time of the gentleman from New York has again expired.

The gentleman from Wisconsin has 5 minutes remaining.

Mr. O'KONSKI. Mr. Speaker, first I will yield 4 minutes to the distinguished gentleman from Missouri (Mr. HALL) and then I will yield 1 minute to the gentleman from Mississippi.

Mr. HALL. Mr. Speaker, I thank the gentleman for yielding me this time.

Mr. Speaker, in the interest of expediting this unusal procedure, I would submit that the technical, including training background, fiscal, and personnel requirements for this position have been well documented by the chairman of the committee, and the gentleman from Indiana (Mr. BRAY).

I have little use for personal pique, and thus endeth the forensic orgasm, as far as I am concerned.

Mr. Speaker, I recognize that the legislation about which we are talking is aimed at upgrading the rank of a position or job vacancy, and not a man. However, the man who happens to hold the position of Chief of the National Guard Bureau at this time, certainly deserves promotion on his own merits.

Winston Peabody "Wimpy" Wilson has made so many contributions to this Nation, individually and collectively through the Guard, that we Americans never will be able to repay him. A great many of the innovations he initiated into the National Guard have proved their value, time and time again, so much so, as a matter of fact, that many of them have been adopted as a pattern by the other Reserve forces.

It was "Wimpy" Wilson who sat at the helm to direct the conversion of the

Air National Guard from prop-driven aircraft to jets. This was done at a time when a great many persons believed the jets were too sophisticated for a component. He accepted four-engine aircraft at a time when critics maintained the Guard would never be able to maintain them. The wisdom of his foresight has been proved repeatedly.

General Wilson—who, by the way, has been a major general for 15 years and is senior Air Force major general—has implemented many programs that have proved their value. In 1952, for example, he started the Air National Guard on weekend training, a significant departure from the Guard's traditional one night a week routine. The weekend warrior training provided a more realistic training base, allowed for more flying training and great increase in the combat capability of the Air National Guard. He brought the Army National Guard into the same weekend training program when he became Chief of the Bureau in 1963.

He was responsible for the implementation of a 6-month training program. That program proved so successful that it was made mandatory under the Reserve Forces Act of 1955 for all Reserve-type components.

He initiated the "Gaining Command" concept, which brings Air Guard units directly under the Air Force command which would gain them in a mobilization so far as inspection and supervision of training are concerned. The wisdom of this concept was proved during the Berlin mobilization when the Tactical Air Command was able to deploy eight Air Guard squadrons to Europe less than 30 days after mobilization in the largest deployment of jets in Air Force history.

If anyone is responsible for bringing professionalism to the Guard and the other components, it is General Wilson. Because of his foresight primarily are we able to call these forces "ready now."

General Wilson has actively shared the responsibility for economy and efficiency within the Armed Forces, also. To this end, he has continuously sought for the identification of peacetime missions which could be performed by the Guard and Reserve as a byproduct of their training program. Thus, the American taxpayers are able to save many of their defense dollars. First among these programs was the runway alert program in 1955, when the Air Guard assumed part of the active defense of the Nation. At this time, the Guard is providing more than 50 percent of the fighter interceptors performing that important mission for the Nation. Now Guard transports are flying missions wordwide and other elements of the Guard repeatedly perform their active duty in support of an active service exercise, be it in the United States or overseas.

Right now, Air Guardsmen are in Turkey performing an active role in the communications field, as they have done in France when we were forced to remove our equipment from that nation with the forced withdrawal of NATO. The Air Guard has aerial tankers in Germany on a full-time basis. But it utilizes part-time guardsmen to carry out the impressive mission, the first of its type ever conducted.

These are just a few of the accomplishments one can attribute to General Wilson and his leadership. He is a most deserving individual. He is a person respected from the highest to the lowest ranks. And I think he deserves the recognition that would be accorded him under this legislation. He works and trains so our Nation sleeps well at night.

Mr. O'KONSKI. Mr. Speaker, I yield the remaining time, 1 minute to the gentleman from Mississippi (Mr. MONTGOMERY).

Mr. MONTGOMERY. Mr. Speaker, looking at the facts in this situation, General Wilson is in rank the oldest major general in the Air Force, having been promoted in 1955. If we do not change the law, he cannot be promoted now. He commands and controls over 500,000 young Americans, young citizen soldiers. They handled themselves well in Korea and they handled themselves well in Vietnam. Certainly, during the civil disturbances that we have had across the country, thank God that we had the National Guard to help our people in time of trouble and danger.

I would like to close by saying that the three times I have been in Vietnam, the biggest gripe I have received from our American soldiers and airmen and Navy people over there is that they worry about the antiwar demonstrations and moratoriums and draft card burners back in the United States.

I am not going to belabor the point of whether General Wilson was right or wrong, but certainly any suggestion to fly the flag and burn lights to show patriotism cannot be wrong.

Mr. Speaker, I hope the Members of the House support this bill.

The SPEAKER. The time of the gentleman has expired.

All time has expired.

The question is on the motion of the gentleman from South Carolina that the House suspend the rules and pass the bill H.R. 15143.

The question was taken.

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

The SPEAKER. 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 269, nays 44, not voting 117, as follows:

[Roll No. 48]

YEAS—269

Abbitt	Beall, Md.	Brown, Mich.
Abernethy	Bennett	Brown, Ohio
Adair	Betts	Broyhill, N.C.
Albert	Biaggi	Broyhill, Va.
Anderson, Calif.	Biester	Buchanan
	Blackburn	Burke, Fla.
Anderson, Ill.	Blanton	Burke, Mass.
Anderson, Tenn.	Boggs	Burlison, Mo.
	Boland	Button
Andrews, Ala.	Bow	Byrne, Pa.
Andrews, N. Dak.	Bray	Cabell
	Brinkley	Caffery
Arends	Brooks	Camp
Aspinall	Broomfield	Carter
Baring	Brotzman	Casey
Chamberlain	Howard	Perkins
Chappell	Hull	Pettis
Clancy	Hungate	Philbin
Clark	Hunt	Pickle
Clausen, Don H.	Hutchinson	Podell
	Ichord	Poff
Clawson, Del	Jarman	Preyer, N.C.
Cleveland	Johnson, Calif.	Price, Ill.
Collier	Johnson, Pa.	Price, Tex.
Collins	Jonas	Quie
Colmer	Jones, Ala.	Quillen
Conable	Jones, N.C.	Randall
Conte	Kazen	Reifel
Corbett	Kee	Rhodes
Cowger	Keith	Rivers
Crane	King	Roberts
Cunningham	Kleppe	Robison
Daniel, Va.	Kyl	Rodino
Daniels, N.J.	Kyros	Rogers, Colo.
Davis, Ga.	Landgrebe	Rogers, Fla.
Delaney	Landrum	Rooney, N.Y.
Denney	Langen	Rooney, Pa.
Dennis	Latta	Roth
Dent	Lennon	Ruppe
Devine	Lloyd	Satterfield
Dickinson	Long, Md.	Saylor
Dingell	Lujan	Schadeberg
Donohue	McClory	Scherle
Dowdy	McClure	Schneebeli
Downing	McCulloch	Schwengel
Duncan	McDade	Sebelius
Edmondson	McDonald, Mich.	Shipley
Edwards, Ala.		Shriver
Edwards, La.	McFall	Sikes
Eilberg	McKneally	Sisk
Esch	McMillan	Skubitz
Eshleman	MacGregor	Slack
Evins, Tenn.	Mahon	Smith, Calif.
Fallon	Mailliard	Smith, Iowa
Flood	Marsh	Snyder
Flowers	Martin	Springer
Flynt	Mathias	Stafford
Foley	Matsunaga	Staggers
Ford, Gerald R.	May	Steed
Ford, William D.	Mayne	Steiger, Ariz.
	Meeds	Stratton
Foreman	Melcher	Symington
Fountain	Meskill	Talcott
Frey	Miller, Calif.	Taylor
Friedel	Miller, Ohio	Teague, Tex.
Fulton, Pa.	Mills	Thompson, Ga.
Fuqua	Minish	Thompson, N.J.
Galifianakis	Minshall	Thomson, Wis.
Gettys	Mize	Udall
Giaimo	Mizell	Van Deerlin
Gibbons	Mollohan	Vander Jagt
Gonzalez	Monagan	Waggonner
Goodling	Montgomery	Wampler
Griffin	Moorhead	Watts
Griffiths	Morgan	Whalen
Gubser	Morse	White
Gude	Mosher	Whitten
Haley	Murphy, N.Y.	Wiggins
Hall	Natcher	Williams
Hamilton	Nedzi	Wilson, Bob
Hammer-schmidt	Nelsen	Winn
	Nichols	Wold
Hansen, Idaho	Obey	Wolff
Harsha	O'Hara	Wright
Harvey	Olsen	Wyatt
Hastings	O'Neal, Ga.	Wydler
Hays	O'Neill, Mass.	Wylie
Heckler, Mass.	Passman	Wyman
Henderson	Patman	Yatron
Hicks	Patten	Young
Horton	Pelly	Zablocki
Hosmer	Pepper	Zion

NAYS—44

Adams	Gilbert	Moss
Addabbo	Green, Pa.	O'Konski
Bingham	Gross	Pike
Brademas	Harrington	Rees
Burton, Calif.	Hathaway	Reid, N.Y.
Carey	Hawkins	Reuss
Celler	Hechler, W. Va.	Riegle
Chisholm	Helstoski	Rosenthal
Clay	Jacobs	Roybal
Cohelan	Kastenmeier	Ryan
Culver	Koch	Scott
Derwinski	Lowenstein	Vanik
Eckhardt	McCloskey	Vigorito
Edwards, Calif.	Mikva	Yates
Farbstein	Mink	

NOT VOTING—117

Alexander	Bevill	Byrnes, Wis.
Annunzio	Blatnik	Cederberg
Ashbrook	Bolling	Conyers
Ashley	Brasco	Corman
Ayres	Brock	Coughlin
Barrett	Brown, Calif.	Cramer
Belcher	Burleson, Tex.	Daddario
Bell, Calif.	Burton, Utah	Davis, Wis.
Berry	Bush	Dawson

de la Garza	Jones, Tenn.	Rostenkowski
Dellenback	Karth	Roudebush
Diggs	Kirwan	Ruth
Dorn	Kluczynski	St Germain
Dulski	Kuykendall	St. Onge
Dwyer	Leggett	Sandman
Erlenborn	Long, La.	Scheuer
Evans, Colo.	Lukens	Smith, N.Y.
Fascell	McCarthy	Stanton
Feighan	McEwen	Steiger, Wis.
Findley	Macdonald,	Stephens
Fish	Mass.	Stokes
Fisher	Madden	Stubblefield
Fraser	Mann	Stuckey
Frelinghuysen	Michel	Sullivan
Fulton, Tenn.	Morton	Taft
Gallagher	Murphy, Ill.	Teague, Calif.
Garmatz	Myers	Tiernan
Gaydos	Nix	Tunney
Goldwater	Ottinger	Ullman
Gray	Pirnie	Waldie
Green, Oreg.	Poage	Watkins
Grover	Pollock	Watson
Hagan	Powell	Weicker
Halpern	Pryor, Ark.	Whalley
Hanley	Pucinski	Whitehurst
Hanna	Purcell	Widnall
Hansen, Wash.	Railsback	Wilson,
Hébert	Rarick	Charles H.
Hogan	Reid, Ill.	Zwach
Holifield	Roe	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

The Clerk announced the following pairs:

On this vote:

Mr. Hébert and Mr. Annunzio for, with Mr. Brasco against.

Mr. Morton and Mr. Burleson of Texas for, with Mr. Hanna against.

Mr. Whitehurst and Mr. Watkins for, with Mr. Brown of California against.

Mr. Fulton of Tennessee and Mr. Jones of Tennessee for, with Mr. Conyers against.

Mr. Daddario and Mr. Feighan for, with Mr. Diggs against.

Mr. Garmatz and Mr. Long of Louisiana for, with Mr. Powell against.

Mr. Rarick and Mr. Stephens for, with Mr. Scheuer against.

Mr. Stuckey and Mrs. Sullivan for, with Mr. Waldie against.

Mr. Blatnik and Mr. Dorn for, with Mr. Stokes against.

Until further notice:

Mr. Rostenkowski with Mr. Widnall.

Mr. Alexander with Mr. Belcher.

Mr. Kluczynski with Mr. Byrnes of Wisconsin.

Mr. Ashley with Mr. Ashbrook.

Mr. Holifield with Mr. Cederberg.

Mr. Mann with Mr. Davis of Wisconsin.

Mr. St Germain with Mr. Ayers.

Mr. Gallagher with Mrs. Dwyer.

Mr. St. Onge with Mr. Coughlin.

Mr. Barrett with Mr. Frelinghuysen.

Mr. Tiernan with Mr. Cramer.

Mr. Gaydos with Mr. Burton of Utah.

Mr. Pucinski with Mr. Dellenback.

Mr. Ullman with Mr. Grover.

Mr. Leggett with Mr. Halpern.

Mr. Macdonald of Massachusetts with Mr. Hogan.

Mr. Dulski with Mr. McEwen.

Mr. Stubblefield with Mr. Bell of California.

Mr. Evans with Mr. Michel.

Mr. Corman with Mr. Pirnie.

Mr. Fascell with Mr. Bush.

Mr. Charles H. Wilson with Mr. Goldwater.

Mr. Fisher with Mr. Myers.

Mr. Karth with Mr. Berry.

Mr. Bevill with Mr. Kuykendall.

Mr. Hanley with Mr. Pollock.

Mr. Fraser with Mr. Railsback.

Mr. Hogan with Mr. Erlenborn.

Mr. Gray with Mrs. Reid of Illinois.

Mr. Helstoski with Mr. Brock.

Mr. Kirwan with Mr. Findley.

Mr. Tunney with Mr. Fish.

Mr. McCarthy with Mr. Lukens.

Mr. Murphy of Illinois with Mr. Roudebush.

Mrs. Hansen of Washington with Mr. Sandman.

Mr. Ottinger wth Mr. Ruth.

Mr. Roe with Mr. Nix.

Mr. Pryor of Arkansas with Mr. Whalley.

Mr. Purcell with Mr. Smith of New York.

Mr. Watson with Mr. Taft.

Mr. Steiger of Wisconsin with Mr. Zwach.

Mr. Weicker with Mr. Teague of California.

Mr. de la Garza with Mr. Stanton.

Mr. MINISH, Mr. RODINO, Mr. HAMILTON, and Mrs. HECKLER of Massachusetts changed their votes from "nay" to "yea."

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

CAPE COD NATIONAL SEASHORE

Mr. TAYLOR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 1187) to amend the act of August 7, 1961, providing for the establishment of Cape Cod National Seashore, as amended.

The Clerk read as follows:

H.R. 1187

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 9 of the Act entitled "An Act to provide for the establishment of Cape Cod National Seashore," approved August 7, 1961 (75 Stat. 284, 293), is amended by striking out the figure "$16,000,000" and inserting in lieu thereof the figure "$33,500,000".

The SPEAKER pro tempore (Mr. BOGGS). Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from North Carolina (Mr. TAYLOR) will be recognized for 20 minutes, and the gentleman from Pennsylvania (Mr. SAYLOR) will be recognized for 20 minutes.

The Chair recognizes the gentleman from North Carolina (Mr. TAYLOR).

Mr. TAYLOR. Mr. Speaker, I yield myself 8 minutes.

Mr. TAYLOR. Mr. Speaker, the bill now before the House, H.R. 1187, is not complex. It simply authorizes an increase in the amount authorized to be appropriated to complete the land acquisition program at Cape Cod National Seashore in Massachusetts from $16 million to $33.5 million. It gives to the Cape Cod Seashore area the same consideration which we gave Padre Island Seashore in Texas last year and Point Reyes National Seashore in California earlier this year.

The original authorization of the Cape Cod National Seashore, approved in 1961, did not establish the first national seashore. That is in my home State of North Carolina at Cape Hatteras, but it was donated to the Federal Government. The Cape Cod legislation was new in one respect. It represented the beginning of a new era in the field of conservation legislation because it was the first massive commitment by the Congress and the Nation to purchase needed recreation lands near large centers of population and in regions of the country where public outdoor recreation opportunities are vitally needed, but are limited. Prior to the establishing of the Cape Cod Seashore, efforts had been limited principally to areas located on existing federally-owned lands or to areas donated to the Federal Government for conservation or recreation purposes.

Frankly, this lack of experience was one of the causes for the underestimating of the total cost which would be involved. There are two other reasons for the error in the cost estimates. First, the original estimates of land values were based on tax valuations and were far too low. Today the National Park Service employs professional real estate appraisers and ascertains the actual market values. Second, the authorization was established 9 years ago and land values at Cape Cod, as in other choice recreation areas, have been increasing some 10–15 percent per year.

However, it is not necessary for Congress to apologize nor regret the action that we took in 1961 when we authorized the Cape Cod Seashore. Regardless of the increased cost, that area is a valuable national asset and will become more valuable in future years.

Mr. Speaker, we have made a considerable amount of progress at Cape Cod with the $16 million which was authorized and has been appropriated for land acquisition. Some 16,400 acres of uplands have been deeded over to the United States and some areas have already been developed for public use and enjoyment. In fact, public visitation at this area exceeded 4 million visitor-days in 1969 and is expected to double in the next 4 or 5 years.

It is important that the land acquisition program at this national recreation area be completed as promptly as possible, but lands within the boundaries cannot be acquired, and appropriations cannot be made until the authorization ceiling is increased as provided in this bill. The existing authorization has been completely funded, and 7,518 acres of land, some of it the most valuable and most needed land on the waterfront, remain to be acquired.

Mr. Speaker, I want to emphasize that the Members of the committee bring these increased authorizations to the floor of the House reluctantly. If the circumstances were different, if the funds were not needed to complete a project, or if they were not important to accomplish a recognized national goal, then we would not recommend this legislation. But, the fact is that they are needed. They do serve a national purpose, and they should be available as soon as possible. The moneys are available in the land and water conservation fund for appropriation for this purpose.

It is poor economy to leave this money in this earmarked fund, drawing 4 or 5 percent interest, while the value of the land to be acquired is increasing at 10 to 15 percent per year.

Let me emphasize that the members

of the Committee on Interior and Insular Affairs have tried to keep this national recreation program on a reasonable and realistic basis, both in terms of the national need to be served and in terms of the funds available to meet this need. Had we followed the recommendations of the bureaucrats originally, we would not be here today with this bill. Instead the original authorization would have provided for no limitation on appropriations. But the Committee on Interior and Insular Affairs, as a policy, has insisted on a ceiling in all authorization bills of this type. These ceilings are established by an amendment in the committee, commonly referred to as the Haley amendment.

As everyone knows, we have been confronted with massive ceiling increases at Padre Island and Point Reyes, and now Cape Cod. I know that Members are wondering when we will reach the end of these ceiling increases. This has been a source of considerable embarrassment to all of us, but we have faced them frankly and candidly. I am pleased to say that this should be the last of the large ceiling increases if the funding program continues at the anticipated pace. We will probably face some difficulties in some additional areas, such as Minuteman National Historical Park and Lake Mead National Recreation Area. But they will be relatively small. Most of the newer areas, which have been established since the Department started using land appraisers to determine values, are expected to be acquired within the authorization limits established by Congress.

The Members of the House will notice that the committee has recommended an amendment to the bill to increase the amount to be appropriated to $33,500,000. This represents an increase of $17.5 million over the present ceiling. Based on January 1969 appraisal data, the committee was told that the anticipated cost to complete the project would be $17,401,000 if funded within the next 3 years. The committee rounded out the figures and made a little allowance for the year that has expired since the appraisal was made.

As chairman of the Subcommittee on National Parks and Recreation and as spokesman for the committee on this legislation, I urge favorable consideration of H.R. 1187. I believe that we have no choice but to pass the legislation and proceed with the completion of the land acquisition program at Cape Cod National Seashore.

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

Mr. TAYLOR. I yield to the gentleman from Colorado, chairman of the Committee on Interior and Insular Affairs.

Mr. ASPINALL. I thank the gentleman from North Carolina for yielding to me.

Mr. Speaker, I wish to advise my colleagues in the House that now, for the first time, with our action on Point Reyes and now the Cape Cod authorization, we are getting ourselves into complete coordination with the administration.

We have been promised—and we have every right to expect that the promise will be fulfilled—that with these authorizations we are bringing forth, the money will be available from the land and water conservation fund, some by supplemental appropriations this year and others by appropriation in the years ahead, to do the work that should have been done from the very beginning.

If we had not had the hold-up we have had, we would not be behind as we now are, but we have every right to believe and to advise our colleagues in the House that with the reauthorization in this bill, and for those projects in being at the present time, and for those projects not started but already authorized, they will be carried on in accordance with the wishes and approval of the House of Representatives action.

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

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

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

I was interested in the gentleman's point about the need for expediting acquisitions. I am familiar with the land acquisitions policies and know the changes that need to be made, but I understand in these land acquisitions the owners' properties have been purchased but they have been given life estates in residence. How many trades or tracts of land have reverted to the government under this acquisition policy, and does the gentleman think it wise in view of the need for expediting?

Mr. TAYLOR. I would state it is my opinion that it is wise. However, the Government has not been purchasing the land and reserving life estates. The legislation provides in the case of single-family dwelling units constructed prior to a date in 1959 and complying with the zoning regulations, the owners could keep the property for a period of 25 years or during the lifetime of the owner, at his election, so those properties just have not been acquired and this legislation does not provide for acquiring them.

I am proud to state the zoning regulations have been put into effect by the local authorities.

Mr. HALL. Mr. Speaker, I thank the gentleman. I recall in 1961 when we were discussing the original bill, there was some question about access road development and the expectation that would cost as much as $50 million to $59 million. Have any of those roads been constructed?

Mr. TAYLOR. The answer is "No."

Mr. HALL. The same thing applies to the central sewage system. Is the Federal sewer system being initiated, and if so, will it be within the ceiling the gentleman's committee has so wisely placed it?

Mr. TAYLOR. No; the ceiling deals with acquisition only.

Mr. HALL. Finally, is this budget within the 1971 budget?

Mr. ASPINALL. Mr. Speaker, if the gentleman will yield to me, according to the statements that have been made, we have been promised a certain amount would be budgeted, not in the present budget, but it would be recommended for the supplemental. The rest of it would follow in accordance with the schedules that have been made out.

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

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

Mr. GROSS. Mr. Speaker, do I understand that this project started at $16 million and is now up to $33,500,000?

Mr. TAYLOR. It started in 1961 at $16 million and is now up to $33.5 million as the total cost of the land.

Mr. GROSS. About twice the original cost. Where are the 249 acres that would be acquired at a cost of between $9,000 and $10,000 an acre? Does the gentleman know?

Mr. TAYLOR. The 249 acres are improved property, the improvements having been constructed since the date in 1959 when some individuals went in and bought lots and built houses, even though the act had been passed or was in process of being passed, knowing the property would be taken. We had no way of stopping that. We could not prevent developments until we were in a position to take the land and pay for it. So that is the area the gentleman refers to.

Mr. GROSS. Is that in one area?

Mr. TAYLOR. It is several areas. The houses are on different lots in areas that need to be taken.

Mr. GROSS. The speculators have gotten into this act?

Mr. TAYLOR. Yes. That happens every time we wait for 9 or 10 years to acquire property after we authorize an area to be taken.

Mr. GROSS. So some of that would happen even if there were a lesser period?

Mr. TAYLOR. The gentleman is correct. We are hoping now that within about 2 years our acquisition program can be more nearly current.

We hope that when we approve an area we can provide for legislative taking or quick purchase.

Mr. GROSS. I have one final question, if the gentleman will indulge me. Does this provide for a new bridge at Chappaquiddick, or is that area in this project?

Mr. TAYLOR. The area is not in the project.

Mr. GROSS. Is that area in this bill as a part of the seashore?

Mr. TAYLOR. It is not.

Mr. GROSS. I thank the gentleman.

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. TAYLOR. Mr. Speaker, I yield myself 2 additional minutes.

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

Mr. TAYLOR. I yield to the gentleman from Massachusetts, the author of the bill.

Mr. KEITH. I should like to invite the attention of the gentleman to what I feel certain is an error on page 8 of the report. Under the Ramseyer rule, there is shown the figure of $16,000,000, and adjacent thereto the figures 933,500,000. I trust the gentleman will reassure us that is intended to mean $33,500,000 and not $933,500,000.

Mr. TAYLOR. I will state to the gentleman that is a typographical error. I noticed it earlier. That "9" is supposed to be a dollar mark.

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

Mr. Speaker, I rise in support of H.R. 1117, as amended by the committee, to amend the act of August 7, 1961, providing for the establishment of the Cape Cod National Seashore.

The purpose of this legislation is to increase the amount authorized to be appropriated for the acquisitions of lands and interests therein at the Cape Cod National Seashore in the State of Massachusetts from $16 million to $33,500,000.

This bill, once again, demonstrates the problem of escalating land costs as they relate to acquisition of lands and interests therein for national park and recreation areas and the need to acquire these areas as quickly as possible after authorization and without resorting to legislative takings.

The Cape Cod National Seashore was authorized by the Congress and enacted into law on August 7, 1961. That act authorized the appropriation of $16 million to acquire 27,650 acres of land or interests in land and waters based upon assessed valuation appraisals made in 1959. However, the first appropriation to acquire these lands was not made available until 1962 and the actual funding of this national seashore has been drawn out over a period of 7 fiscal years.

We all know that land values do not remain static and if protracted over a period of 7 years, we cannot expect that acquisition costs in the seventh year would remain the same as anticipated in the first year. This is a simple matter of commonsense knowing the many variables that affect land values. The inability to acquire these properties promptly after authorization, and the inadequate appraisals made coupled with the escalation of land values are the reasons we in the Congress are faced with this type of legislation.

This bill proposes an increased appropriation authorization of $17,500,000 to acquire 7,519 acres of land and interests therein, based upon 1969 appraisals. This will round out the acquisition of lands for the Cape Cod National Seashore except for 1,311 acres containing 653 improvements and having an aggregate estimated value, at this time, of $13,290,000. These private lands come under the so-called Cape Cod formula; which suspends the right of condemnation and permits the right of use and occupancy for noncommercial residential purposes to be freely transferred or assigned subject to zoning laws approved by the Secretary of the Interior. It has always been anticipated that these properties would not be acquired, so long as their use was in conformity with the purposes for which the national seashore was established and to provide a tax and economic base for established communities in the area.

Now that this administration is on record to expend the total funds available under the land and water conservation fund to reduce the backlog of national park and recreation area authorizations, this legislation becomes priority legislation. In this sense, it will fulfill an obligation which Congress created for the benefit of the American people, and, in particular, the citizens of the area involved. Establishment of the Cape Cod National Seashore was the first time that the Congress authorized the use of appropriated funds at the outset to purchase a large natural area for the national park system. Prior to the establishment of the Cape Cod National Seashore in 1961, national park areas were for the most part established either by setting aside public lands or from lands donated to the Federal Government by the States, or private interests.

This achievement was a major accomplishment to those of us who had long before the present day shared our concern for the environment. In 1961, our concern was in preserving for present and future generations of Americans a part of their natural heritage. The visitation to this area in 1969, which was in excess of 4 million people, only bears tribute to these facts and the job that remains to be accomplished.

Mr. Speaker, I urge the rules be suspended and we support the passage of this legislation.

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

Mr. SAYLOR. I am very happy to yield to the gentleman.

Mr. GROSS. Did they put up something more than beach houses or cabanas on that land?

Mr. SAYLOR. Yes. They put up a great deal more than beach houses and cabanas on that land. Some of them have been outstanding pieces of property. There have been real developments going on in this area, and the houses have been expensive houses. This has not just been the idea of putting in a little something and getting a great deal more out of it. Somebody said that it may be 10 or 20 or 30 years, so rather than wait they have gone ahead and developed their land, which they owned at the time the establishment of the Cape Cod Seashore.

Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. KYL).

Mr. KYL. Mr. Speaker, because I believe there is very little, if any, objection to this matter, if it is fully understood, I would like to summarize the excellent arguments that have been made.

We have to start with these two basic points. First, Congress did authorize this area for a national seashore. The second realization is that we will buy this land some time, if not now, later.

We have to consider a couple of attendant factors. Cape Cod the first such area established. Most of the parks that have been established before that time were carved out of public lands. In this case we did not own the land. We had to go and buy it. At about the same time the Cape Cod project was before the Congress we had a new program being developed which established the land and water conservation fund. This land and water conservation fund, which was approved overwhelmingly, was supposed to give additional impetus to the acquisition of park and recreational land for the country by increasing available funds. It was a separate fund which was not established from tax sources. But immediately when this fund was established the Appropriations Committees of the two bodies and the Bureau of the Budget said that, "The only money you are going to get is that from the land and water conservation fund." In spite of the fact that there were authorized figures for appropriations under that fund, the Bureau of the Budget and the Committees on Appropriations have never seen fit to grant even the totals which were authorized within that fund; and they made no appropriations from the general fund. As a consequence, we fell behind in acquiring park lands. We are now told, as the chairman of the full committee has said, that the Bureau of the Budget and the Committees on Appropriations are going ahead to fund the land and water conservation fund completely, and with this we will be able to catch up with the backlogs.

Mr. Speaker, I want to reiterate that there is no mystery about increased land cost: Even in our agricultural areas, we have had individuals who bought land and were able to make money on that land even though they operated at zero profit or at a loss for 10 years and then sold the land. This is because of the escalation of the land value. They have been able to show a good profit and a good interest on their investment. The same thing happened all over the country in cases like this.

Mr. Speaker, we have had some good discussion about the improved properties. These properties were not completely speculative. The individuals who built the single family dwellings had owned the property, and they had intended to build homes there if this park had not been authorized by the Congress. So, at least, they were developing homes where they had wanted to develop them on their own land, and to that extent they were not speculating.

I want to reiterate that all these homes were built under very strict zoning ordinances which are approved by the Federal Government even though they are local in nature. People who live in this area are very much concerned about preserving the atmosphere that prevails there. So in spite of the fact that this does call for an increased authorization, it is an increased authorization which no one could anticipate. Then there is the matter of life estates.

I would say again to the gentleman from Missouri that we granted life estates because we did want to give the individual citizens their right and their property so far as possible. We also wanted to keep as much property on the tax rolls as possible while other economic developments were filling in for the property tax loss. I, myself, think this is a good thing because it does give consideration to people who had intended to live on this property throughout their lives. They are not forced to move.

I know the gentleman from Missouri agrees with me that we have sometimes been less than equitable when property is condemned for public purpose. No one can tell the value of a piece of property to the individual who owns it and lives on it and wants to stay in that home. This way, at least, we do not have to face

that problem, so long as they live there in a home which lends itself to the general atmosphere of the area—and in this particular case that is what these homes do. No one hates worse than does the committee to come before you with these increased authorizations because we have no control whatsoever over them. This is an attempt to get us out of the quandary, to get the job done and to establish the area which we authorized so overwhelmingly 10 years ago.

Mr. TAYLOR. Mr. Speaker, I yield 2 minutes to the gentleman from Illinois (Mr. YATES).

Mr. YATES. Mr. Speaker, I favor this legislation. The conservation of our national wilderness areas is vital to offset the tedium of urban living. There must be opportunities for recreation, for rest, and relief from the crowded conditions of our cities for clean air and for clear air, if you please.

Mr. Speaker, over the last few years it has become clear that the major adversary in the fight against air pollution is the internal combustion engine. Today, there are more than 105 million automobiles, trucks, buses, and other vehicles operating on the Nation's streets and highways. They contribute more than 60 percent of the pollutants which infect the air we breathe. The fight against air pollution is in large measure the fight against the polluting emissions from the internal combustion engine.

Accordingly, I have filed today a bill which will allow individual States to establish whatever emission standards they deem necessary to restore the quality of the air in our urban areas. Why is my bill necessary? At the present time, with the exception of California, no State can establish emission standards which are more stringent than Federal standards.

I cannot understand why the Congress permitted this to happen. Certainly, if any State wants to protect its people from the growing menace of the noxious fumes from automobile engines, it should be able to do so.

Bureaucratic procedures at the Federal level are preventing effective State action. States that are anxious to take affirmative action by setting more stringent emission standards are frustrated in their efforts to move quickly and effectively. My bill will open the door to permit effective State action.

The bill I have filed will be especially important to cities such as Chicago where the concentration of motor vehicles is such that very strict emission standards are required at once if there is to be a chance at stopping the progressive deterioration of the air supply. It has been estimated that to breathe the air in New York for 24 hours has the same effect on one's lungs as smoking a pack of cigarettes. Respiratory diseases are on the rise throughout our urban areas and pollutant emissions from automobile exhaust are a primary cause. Delay in enacting really effective emission standards is measured in additional visits to doctor's offices, certainly to dry cleaners as well. It is measured in fresh layers of soot and ever-denser covers of smog.

The citizens of Chicago, New York, Boston, Honolulu, and of many of our urban areas cannot afford to wait until Federal standards are made stringent enough to stem the tide of air pollution. Certainly, they ought to be made more stringent. I offer this bill today so that the fight against air pollution in those areas can begin without delay.

Mr. SAYLOR. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Massachusetts (Mrs. HECKLER).

Mrs. HECKLER of Massachusetts. Mr. Speaker, I would like to identify my attitude with that expressed by the ranking minority member of the Committee on Interior and Insular Affairs, Mr. SAYLOR of Pennsylvania, in that his practical advice, based on experience and efforts to avoid the kind of skyrocketing land costs which are apparent in the bill we are considering today, I think deserves attention and deserves congressional action.

In regard to the Cape Cod National Seashore, perhaps I might be accused of bias as a New Englander. However, in view of the fact that I have observed cars from every section of the United States whenever I have visited this magnificent section, I am well aware of the fact that this is indeed a national monument, and of concern to this Nation.

Mr. Speaker, I wish to congratulate the gentleman from Massachusetts, Mr. HASTINGS KEITH, for his sponsorship of this bill, and to commend the committee for its leadership in these areas of conservation.

Let me say also that I consider the cape one of the most beautiful national seascapes that one can find in these United States, with the rolling surf silhouetted by majestic sand dunes. It is a very unique and very beautiful natural resource of this country. I heartily endorse this bill, and hope it will receive the required two-thirds vote of this body.

As an asset to all Americans, I think it might be noted that Cape Cod has long been a major national tourist attraction which is visited by families from all parts of the United States. The number of visitors to this beautiful seashore rose from 1.5 million in 1961 to 4 million in 1969, and is expected to reach 8 million by 1975.

But the full use of this area has been denied to the public since 1961 when Congress authorized the Cape Cod National Seashore project at an estimated cost of $16 million. In that decade, land costs continued to rise. Today the seashore is only about two-thirds acquired.

To complete the project, the committee recommends that the remaining 7,518 acres should be acquired without further delay. The additional $17.5 million required is available in the land and water conservation fund, and the President has indicated his intention to utilize this money when the authorization is approved. I am further pleased to note that the President's 1971 budget contemplates using the full amount of the land and water conservation fund to reduce the backlog of land acquisition for other park and recreational areas. This decisive action is desirable in view of skyrocketing land costs everywhere.

I consider it commendable that the committee took a realistic look at land prices, and accordingly saw the need to raise the appropriation. Since my 10th Congressional District adjoins the district in which Cape Cod is located, I know the beauty of the Cape Cod National Seashore area. I welcomed the committee's description of it, as follows:

> It is truly a national asset worthy of the Federal investment. While the costs involved are more than were originally contemplated by the Congress, this investment is one which will benefit all Americans, now and in the future.

I agree with that assessment. And I think that millions of Americans also agree that the cape should be saved for future generations.

Mr. SAYLOR. Mr. Speaker, I yield such time as he may consume to the gentleman from Massachusetts (Mr. KEITH).

Mr. KEITH. Mr. Speaker, I thank the gentleman from Pennsylvania and the committee for their patience in dealing with this problem, which is not only of great importance to me, but is, of course, national in its scope.

Mr. Speaker, one of the most discussed and important issues facing us as we enter a new decade is conservation of our natural resources. The danger of pollution to our waterways, our air, and our environment in general is gradually being recognized, and effective preventive action is beginning to be taken.

In our efforts to protect our environment from further deterioration, it is necessary not only to recover the purity of those resources already spoiled, but also to preserve those areas as yet untarnished. In this regard, the bill before us today, H.R. 1187, goes a long way toward preserving one important natural area of our Nation. This bill authorizes $33.5 million to complete land acquisition for the Cape Cod National Seashore.

Mr. Speaker, it is very close to 10 years ago that the park was authorized, and some $16 million appropriated for purchasing land. This was due to the efforts of many—the late President John F. Kennedy, former Senator Saltonstall, and all of my colleagues in the Massachusetts delegation—most of whom filed the legislation with me.

At the time we envisioned a new kind of national park: one that would preserve a way of life—the unique way of life that is found on Cape Cod—and not merely the physical characteristics of that narrow land.

Almost everyone would have to agree that that concept, that dream, has been an unqualified success. The original $16 million, however, was insufficient to buy all the land within the park's planned perimeters, and due to delays it will now cost $17.5 million to acquire the remaining 7,500 acres.

I would like to correct one understanding that may have been gathered, or one impression that may have been gained by the remarks of the earlier speakers.

I do not believe that there has been

a general violation of the spirit of this act insofar as homebuilding on the property that has been allocated for the Federal inventory. Actually, the people of Cape Cod have been very patient with the Federal Government and its slowness to move in this area. Many of them did have the plans to build on these lots and these extensive shorelines, but it is my understanding that only a few people have gone contrary to the will of the Congress and done so. The cost for the increased value of this land is almost directly in proportion to the general increase in land values throughout the area, and does not in any way represent improved property as such.

Mr. Speaker, I hope that the House will act expeditiously now, so that the Government in turn will follow the lead of the House in making the funds available to pay for this property, and so that our constituents can have funds with which to purchase homes outside of the national seashore.

Mr. DONOHUE. Mr. Speaker, I most earnestly urge and hope the House will promptly approve this measure now before us, H.R. 1187, providing for an increase in the originally authorized appropriation to establish the Cape Cod National Seashore.

The need and justification for this increase is readily admitted and recommended by all authorities and agencies concerned and the President's 1971 budget anticipates this requested increased authorization.

A total of 16,411 acres were obtained through the original authorization appropriation of $16 million. The experts testify that it is essential, for the proper completion of the seashore, to further acquire 249 acres of improved acreage, and 7,270 acres of unimproved land, which should be obtained while it is still in a natural state.

I think it should be explained that the original $16 million authorization was based on 1959 appraisals but appropriations for actual land acquisitions first became available in 1962. Meanwhile, of course, land values have risen tremendously and there is little question that they will continue to rise in the foreseeable future.

The natural, scenic, and recreational values of the Cape Cod National Seashore were utilized and enjoyed, it is reliably estimated, by more than 4 million visitors in 1969 which number will undoubtedly double or even triple within the next decade.

Since the additional land required to complete the seashore project will continuously increase in value its acquirement as soon as possible would be most prudent.

From all the factors involved it is clear that the objective of this bill is in the national interest and I urge the House to overwhelmingly approve it.

Mr. PHILBIN. I want to commend and thank the distinguished gentleman from Colorado (Mr. ASPINALL) for bringing the Cape Cod National Seashore bill so promptly to the floor of the House. It is a good bill, well conceived, and properly amended by the committee to meet today's needs for additional authorization of funds for this great park, in which the late President Kennedy was so interested.

Chairman ASPINALL's concern and interest in the original Cape Cod bill some few years ago were largely responsible for the prompt action in the House in making possible the establishment of the Cape Cod National Seashore in my State and our people are truly indebted to him and the members of his great Committee on Interior and Insular Affairs for their continuing efforts to assist us. I want to commend and thank you all for your effective help.

Now, with regard to the pending bill, which is similar to my H.R. 5246, it became soon evident after the establishment of this great park in 1961 that the initial funding authorization of $16 million would be inadequate for needed land acquisition in the area of the Cape Cod National Seashore, especially in view of the continued dramatic rise in prices for land along our vanishing shore line in recent years.

In anticipation of this land acquisition problem for Cape Cod, during the 89th Congress, I sponsored with Senator Saltonstall legislation to increase the funding limitation and subsequently in 1967, during the 90th Congress, at the request of the Cape Cod National Seashore Advisory Commission, I and other interested members of the Massachusetts delegation in Congress sponsored legislation to increase the funding authorization from $16 million to $28 million. By then, this legislation was badly needed more than ever because land acquisitions under the terms of the original act at the average rate of about $3.2 million annually has already reached the land purchase ceiling.

The situation which faces us today is that all of the $16 million authorized and funded by the Congress since the original act has been appropriated and obligated. With this money, some 16,400 acres have been acquired and there remain about 8,800 acres of privately owned land within the national seashore which have not been acquired because of lack of funds.

The members of this able committee are aware more than others how fast land values have risen in areas adjacent to our great national parks. The combination of soaring land prices for vacation and permanent homes near the water and the establishment of the Cape Cod National Seashore have produced serious conditions in this constantly rising market in relation to the truly limited land area of Cape Cod.

Prompt approval of this bill by the House will be truly beneficial to the Federal Government over the long run. Of the unacquired land within the Cape Cod National Seashore, approximately 7,270 acres are unimproved. These should be acquired now while they are in their natural state and I urge the House to help us now before land values in the area soar out of sight.

You have helped us before and I know that you will do your best to help us again.

It was my great privilege to be the first sponsor in the Congress back in 1957 of the original proposal seeking the establishment of a national park on Cape Cod. I am indebted to Chairman Aspinall for his assistance then in getting the National Park Service to draw up the initial boundaries of the Cape Cod National Seashore on the basis of his request for a detailed survey and report from the Department of the Interior on my bill.

I was indebted to him then and I am indebted to him now for seeing to it that his committee took another look at our needs. It is to him and his fine committee that the country owes a great debt of thanks for seeing to it that we now have on Cape Cod a small portion of the Nation's dwindling shoreline for the recreational use of all the people in the Cape Cod National Seashore.

Mr. BOLAND. Mr. Speaker, I want to express my support for this legislation to make possible acquisition of the remaining 7,518 acres of land needed to complete the Cape Code National Seashore. Land costs on Cape Cod, like land costs everywhere, had steadily inched upward over the decade since the seashore was established. The bill now before us would increase by $17.5 million the appropriations ceiling in the legislation that created the seashore—a ceiling established when the cost of Cape Cod beach land was dramatically lower than it is today.

The need for this legislation is plain—indeed, obvious. The Cape Cod National Seashore, one of the most strikingly beautiful stretches of beach land in the world, simply cannot be completed without the $17.5 million sought in the bill. The money is already available in the land and water conservation fund, and President Nixon has made clear his intention to request its appropriation once H.R. 1187 is enacted into law.

The public demand for recreation areas like the Cape Cod National Seashore grows more insistent virtually day by day. A few statistics will make this clear. In 1961, when we enacted the Cape Cod National Seashore Act, the Committee on Interior and Insular Affairs estimated that 1.5 million visitor-days approximated the yearly public use of Cape Cod. This figure has risen to nearly four million over the past 9 years and is expected to reach 10 million within the next 4 or 5. The need for prompt acquisition of the remaining 7,518 acres in the seashore—roughly one-fourth of its eventual size—is quite apparent.

The Cape Cod National Seashore Act is a landmark in conservation history, extending the national effort to preserve scenic areas to include areas in private ownership.

I am proud of the leadership role I took in enacting this legislation, and I feel strongly that we must not betray its intent now.

Again, I urge passage of H.R. 1187.

Mr. REID of New York. Mr. Speaker, I rise in strong support of H.R. 1187, to increase the authorization for land acquisition at the Cape Cod National Seashore from $16,000,000 to $28,000,000,

and in support of the committee amendment to increase the authorization further to $33,500,000. I am the sponsor of H.R. 12364, which is identical to H.R. 1187.

According to the Department of the Interior's report on H.R. 1187, all of the $16 million authorized by the 1961 act establishing the seashore has been appropriated and obligated. That amount, which was based on 1959 appraisals, was originally expected to cover the cost of acquiring all 27,650 acres envisioned as part of the national seashore. Because the first appropriations were not made available for acquisitions until fiscal 1962 and land values had risen rapidly, the $16 million covered the cost of acquisition of only approximately 16,411 acres. There remain approximately 8,830 acres of privately owned lands within the seashore which have not been acquired for lack of funds.

It is my understanding that the Department of the Interior currently needs sufficient funds to acquire approximately 7,519 additional acres. Based on January 1969 appraisals, it is thought that $17,401,000 will be needed. The committee amendment to H.R. 1187 would cover that cost, and I therefore urge its adoption by the House. The 1,311 acres of remaining private lands cannot be acquired without the owners' consent, and are deemed compatible with the seashore; so no funds are being provided for their acquisition at this time.

As past experience with this national park area has indicated, land values in the Cape Cod area are skyrocketing. In my judgment, the Congress and the administration would be exercising false economy if action on this authorization bill, the necessary appropriations legislation, and the actual expenditure of funds were delayed. The land must ultimately be acquired in order to complete the Cape Cod National Seashore; of the unacquired acreage covered by this authorization, 7,270 acres are unimproved and should be acquired as soon as possible, while they are still in a natural state. If we delay, costs will certainly rise.

The Cape Cod National Seashore is easily accessible to millions of Americans who live in New England and the Boston and New York metropolitan areas. More than 4 million persons visited the seashore in 1969. In my judgment, there are too few park areas available to residents of the northeastern corridor, who have shown their appreciation of such areas, and we must take advantage of every opportunity to preserve the natural regions which still remain.

I strongly support the passage of this bill.

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

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

The SPEAKER pro tempore. The question is on the motion of the gentleman from North Carolina that the House suspend the rules and pass the bill H.R. 1187, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

GENERAL LEAVE TO EXTEND

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that all Members may extend their remarks on the bill H.R. 1187, on the Cape Cod National Seashore.

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

There was no objection.

ESTABLISHING A PROGRAM FOR THE PRESERVATION OF ADDITIONAL HISTORIC PROPERTIES THROUGHOUT THE NATION

Mr. TAYLOR. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 14896) to amend the act of October 15, 1966 (80 Sat. 915), establishing a program for the preservation of additional historic properties throughout the Nation, and for other purposes, as amended.

The Clerk read as follows:

H.R. 14896

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of October 15, 1966 (80 Stat. 915; 16 U.S.C. 470) is amended as follows:

(a) Section 108 is amended by deleting the first sentence and inserting in lieu thereof the following: "There are authorized to be appropriated not more than $7,000,000 to carry out the provisions of this title for fiscal year 1971, $10,000,000 for fiscal year 1972, and $15,000,000 for fiscal year 1973.".

(b) Section 201(a) is amended by—

(1) striking out "seventeen" and inserting "twenty";

(2) inserting after paragraph (6) the following:

"(7) The Secretary of Agriculture

"(8) The Secretary of Transportation

"(9) The Secretary of the Smithsonian Institution; and"

(3) redesignating paragraphs "(7)" and "(8)" as "(10)" and "(11)", respectively.

(c) Section 201(b) is amended by striking out "(6)" and inserting "(10)".

(d) Section 201(c) is amended by striking out "(8)" and inserting "(11)".

(e) Section 201(f) is amended by striking out "Eight" and inserting "Eleven".

(f) Section 204 is amended by striking out "(7)" in the first sentence and inserting "(10)", and by striking out "(8)" in the second sentence and inserting "(11)".

(g) Section 205(d) is amended by striking out "(6)" in the first sentence and inserting "(9)".

SEC. 2. The following new section is added to the Act of October 15, 1966, supra:

"SEC. 206. (a) The participation of the United States as a member in the International Centre for the Study of the Preservation and Restoration of Cultural Property is hereby authorized.

"(b) The Council shall recommend to the Secretary of State, after consultation with the Smithsonian Institution and other public and private organizations concerned with the technical problems of preservation, the members of the official delegation which will participate in the activities of the Centre on behalf of the United States. The Secretary of State shall appoint the members of the official delegation from the persons recommended to him by the Council.

"(c) For the purposes of this section, there are authorized to be appropriated not more than $100,000 annually for fiscal year 1971 and for each of the two succeeding fiscal years."

The SPEAKER pro tempore. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

Mr. TAYLOR. Mr. Speaker, I yield myself 10 minutes.

Mr. Speaker, I rise in support of H.R. 14896 which was introduced by our colleague from Colorado (Mr. ASPINALL).

I want to take a few minutes to explain the basic elements of this bill. In general terms, it does three things:

First, it extends the matching assistance program which allows limited Federal funds to be made available to the National Trust for Historic Preservation and to all of our 50 States for their respective historic surveys and approved historic preservation programs. The National Trust for Historic Preservation is a nonprofit corporation chartered by Congress in 1949 to encourage donations and participation from interested private individuals and organizations in the preservation of sites, buildings, and objects significant in American history and culture. The National Trust has about 22,000 contributing members throughout the whole country and there are over 1,000 organizations that belong to the trust.

Second, the bill expands the membership of the Advisory Council on Historic Preservation from 17 to 20 members.

Third, it authorizes limited U.S. participation in the International Center for the Study of the Preservation and Restoration of Cultural and Historical Property.

By far, the most important element in the legislation is the extension of the authorization for the matching assistance program. Without the enactment of H.R. 14896, or comparable legislation, there will be no authority to appropriate funds for this program

As most of the Members of the House will recall, in 1966 we approved legislation which established the national historic preservation program. Unlike other features of the overall preservation effort, the main thrust of this program was to encourage and to help the States, localities, and the National Trust for Historic Preservation preserve historically and culturally significant properties which the Federal Government could not reasonably be expected to preserve.

I am happy to report that the States have, for the most part, responded with enthusiasm. The committee was told that they are anxious to move forward with the program and that many have already taken action to supply their share of the 50–50 matching money. South Carolina has approved a $3 million bond issue to foster this problem.

The program, as it was originally enacted, authorized the appropriation of

$2 million in fiscal year 1967 and $10 million annually in fiscal years 1968, 1969, and 1970—a total of $32 million. Funding levels have never reached that magnitude for a number of reasons, but the principal reason has been that the budget requests of the Department of the Interior and the Bureau of the Budget have been limited in the past. It was for this reason that the gentleman from Colorado (Mr. ASPINALL) limited the authorized ceiling in his bill to amounts which, based on past experience, seemed reasonable.

As a result of our hearings, we learned not only that many of the States and the National Trust for Historic Preservation were eager to go forward with this program, but that this administration was willing to make a more substantial commitment to it than had been made in the past. The President's budget for fiscal year 1971 calls for the appropriation of $6,950,000 for the national historic preservation program if the authorizing legislation is approved.

With respect to the matching assistance program, Mr. Speaker, H.R 14896, as amended, does little more than what the Congress originally authorized. In 1966 we authorized a program which could have resulted in the appropriation of $32 million. In fact only $1,369,000 of this authorization was actually appropriated. H.R 14896, as amended, in effect, reauthorizes a $32 million program, but this time we feel confident that more will be accomplished.

The National Historic Preservation Act, approved by Congress in 1966, Mr. Speaker, authorized the establishment of the Advisory Council on Historic Preservation. Its main functions are to advise and report to the President and the Congress concerning matters involving historic preservation and to provide a forum where the problems of preservation and progress can be discussed. It is not an expensive part of the program, because many of the advisory council members receive no additional compensation for this activity and it has no elaborate staff, but it is providing a useful public service.

H.R. 14896 authorizes the addition of three new members to the 17-member council. The three are the Secretary of Agriculture, the Secretary of Transportation, and the Secretary of the Smithsonian Institution. All of these potential new members have a considerable direct interest in the overall historic preservation program and all of them could make constructive contributions not only to the work of the council, but to its effectiveness in handling preservation problems. This provision of the bill would not cost the Government any money.

The last major element in H.R. 14896 is the only feature of the legislation that actually constitutes a completely new authorization. It authorizes limited U.S. participation in the International Center—commonly called the Rome Center—for the Study of the Preservation and Restoration of Cultural and Historical Property. In making this recommendation the committee wants it clearly understood that this authorization is limited—both in terms of the maximum U.S. contribution and in terms of the duration of the U.S. participation. H.R. 14896, as amended, limits expenditures for this purpose to $100,000 annually and expressly limits the duration of U.S. participation to 3 years, unless later extended by Congress.

In emphasizing this point, I want to assure the Members of the House that this aspect of the program will not be extended without further congressional action. Your committee, under the leadership of the gentleman from Colorado (Mr. ASPINALL), will follow this program closely to be sure that it proves beneficial in terms of the national overall historic preservation program. If it proves valuable in relation to its cost, then the Congress can extend the authorization 3 years hence, if it does not, at least we have given it a fair opportunity to prove its value.

I do want to take just a moment to explain what the "center" is and what it does. It is an independent, intergovernmental organization which was established by UNESCO in 1958. Over 50 nations are presently members and each contributes to its financial needs based on an established formula. Each member nation is required to pay 1 percent of its annual UNESCO contribution, but no nation may contribute more than 30 percent of the total. On this basis, the U.S. contribution to the center would be about $62,000 annually, at the present time. While this amount may vary somewhat, the legislation strictly limits the maximum appropriation for this purpose to no more than $100,000 annually.

The function of the "center" is chiefly concerned with the expansion of knowledge with respect to technical aspects of historic preservation. It is geared to the dissemination of technical information and to the training of professional preservationists. The committee was advised that there is a demonstrated need for specialists and trained conservators and that there are extremely few opportunities to secure this training in the United States.

Most of the experts in this field are trained in Europe.

The training courses at the Rome Center are oversubscribed. Naturally, the center gives priority to students from member nations. Very few Americans have been able to attend these courses. By belonging to the center, our citizens could enroll in classes and secure needed training and specialization.

There are 6,000 museums in America today and the task of restoring and preserving the millions of objects in these museums is a large one. There is a need for experts trained in restoring and preserving these valuable articles. And restoring historic sites and monuments. A regional training center could be located in the United States.

Joining the Rome Center would mean access for our Nation to worldwide sources of technical information on conservation and restoration of cultural property.

Mr. Speaker, H.R. 14896, as amended, is important legislation. It is proper to encourage the States and the local units of government and private citizens and organizations, which work through and contribute to the National Trust, to join hands with the Federal Government in preserving the landmarks of our history that are so important to our Nation. All money authorized will have to be matched by the States or by private donors.

It is important today, perhaps as never before, that we direct the attention of our citizens, especially our young citizens, to our American heritage. A part of the alienation of our youth today is probably due to a lack of understanding or pride in our national heritage, a lack of feeling of anchor with the past. Even as times are changing today, we must teach our young people that there is much good in our past which must be preserved for the future. We must teach them that freedom as we know it today has been achieved at a great price. The medium of historic preservation properly used can be a factor in redeveloping pride in our country, its history, and its institutions.

This legislation has been carefully considered by the committee, Mr. Speaker, and, I believe, that it merits the support of the Members of the House.

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

Mr. Speaker, I rise in strong support of this legislation. The purposes of H.R. 14896, as amended and reported by the Committee on Interior and Insular Affairs are: First, to extend the program for the preservation of additional historic properties throughout the Nation for 3 years, through fiscal 1973; second, to authorize the appropriation of $32 million for grants and administrative expenses under the program; third, to increase the Federal membership on the Advisory Council on Historic Preservation; and fourth, to authorize the United States to participate as a member in the International Center for the Study of the Preservation and Restoration of Cultural Property.

I urge my colleagues to support this legislation. It concerns every State in the Union in their efforts to preserve, acquire and develop properties that are significant in American history, architecture, archeology, and culture pursuant to the statewide historic surveys authorized in the act passed by the 89th Congress. For my friends who have recently acquired "environmental religion," this legislation most assuredly deserves your support.

During the 89th Congress, we passed what became Public Law 89–665 and established a program for the preservation of additional historic properties throughout the Nation. The thrust of this act is to establish a program which would stimulate local and State participation in the preservation of these historical properties through matching grants in aid and in accordance with comprehensive statewide surveys. For this purpose the original act authorized the appropriation of $32 million through June 30, 1970. In approximately 3 months this program will terminate if it is not extended by the legislation we are now considering.

The National Historic Preservation Act of 1966 pledged the Federal Government to an active role in historic preservation throughout this Nation through financial assistance to the States and the National Trust for Historic Preservation. The act was landmark environmental legislation when not too few could see the merits or value of such legislation.

Because the environmental star had not risen to its present heights to engulf our new brethern, this program got off to a slow start. Actually, the reason the program got off to a slow start was because Congress only authorized appropriations for a 4-year program without considering the leadtime necessary to provide the information to the States, for the States to obtain their legislative authorizations and crank up their apparatus to conduct the survey required before financial assistance would be forthcoming. In fact we did not provide sufficient leadtime for the program to get off the ground before its appropriation authorization runs out.

In the meantime, 35 of the 50 States have sought the financial assistance as provided in the law through matching grants. Now, these States in requesting their matching funds as required by the law, find that the program is running out on them. There has been appropriated only $1,369,000 of the originally authorized $32 million for a 4-year matching assistance program. Yet, this program has in the past 2½ years, through the National Trust for Historic Preservation and its Council, assisted in more than 50 situations where Federal undertakings affected or potentially affected national historic properties.

Mr. Speaker, we in the Congress must keep the pledge we made to the States in passing the National Historic Preservation Act on October 15, 1966. Now that the States have responded to this program it is incumbent on the Congress to extend this program for an additional 3 years and authorize the appropriation of $32 million to carry out the program.

H.R. 14896, as amended, also enlarges the Advisory Council on Historic Preservation from 17 to 20 members. The added members are the Secretary of Agriculture, the Secretary of Transportation, and the Secretary of the Smithsonian Institution. Since the Council is charged with advising the President and the Congress on matters of historic preservation it is appropriate that these additional members who have vast Federal responsibilities affecting historical resources be included as members of the Council.

The bill also authorizes the participation of the United States in the International Center for the Study of the Preservation and Restoration of Cultural Property in Rome, Italy. The Rome Center, as it is known, is an independent, intergovernmental organization which, since its establishment in 1958, has become the focal point for technical knowledge, training and research related to cultural property and historic preservation. Some 50 nations now participate and make available the benefits of their studies and efforts in this endeavor. This Nation will through its membership and participation have access to the best information and technical advice available.

Mr. Speaker, as we move forward in our concern for the environment, historians will record the passage of the National Historic Preservation Act of 1966 as one of the landmark pieces of legislation which gave impetus to the age of environmental enlightenment of the 1970's. Therefore, I urge my colleagues to suspend the rules and support the passage of this legislation.

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

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

Mr. ASPINALL. Mr. Speaker, I wonder if our colleague would advise us that our committee, at the time we had our first okay of this authorization, did think it had a justification for spending that amount. Is that correct?

Mr. SAYLOR. This is correct. We had a justification, but it never worked out, because by the time the word got out to the States that these funds were available to help them—and by the way, 35 of the 50 States have now submitted plans—they suddenly find out the $32 million is just not there because the time is running out. So we are extending this program for 3 years.

Mr. Speaker, I yield 5 minutes to the gentleman from Iowa (Mr. GROSS).

Mr. GROSS. I thank the gentleman from Pennsylvania for yielding me this time before this crowded House.

Mr. SAYLOR. I will be glad to yield to the gentleman more time if he wishes.

Mr. GROSS. Mr. Speaker, it is quite a statement my friend from Pennsylvania has made, that evidently we must join another international organization in order to get the benefit of what the foreigners may have learned about culture and the preservation of certain alleged historic sites. This to me is very, very illuminating.

We have put into this outfit known as UNESCO heaven knows how many millions of dollars to support them through the years. Do I correctly understand that now they are so selfish, after all we have done for them, that they cannot pass along to us what information they may have obtained? Is this the story?

Incidentially, how did we get along for so many years without UNESCO's help, and without joining this Rome Center for the so-called Study of the Preservation and Restoration of Cultural Property?

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

Mr. GROSS. I am glad to yield to the gentleman from Iowa. I hope he can throw some light on this.

Mr. KYL. May I say first to my gentle friend from Iowa, I should like to give him more than a 10-second response, and if he believes I am taking too much of his time I will give him some that the gentleman from Pennsylvania has allotted to me.

Mr. GROSS. That is a fair deal. I accept.

Mr. KYL. First, I would have preferred to have this Rome Center come to us in another fashion. I believe that probably, if we did not take care of it here, it would be in, for instance, a Smithsonian Institution appropriation at some time, because the people of that Institution do believe there is a tremendous amount of value and that we can expand our benefits if we participate completely.

As a matter of fact, UNESCO has not shut us off from all the good things they are doing. They have permitted us to act informally, to attend conferences and so on, but it has been a limited participation.

Mr. GROSS. Are we supposed to collectively feel humble about this, after having poured millions of dollars into UNESCO?

Mr. KYL. I would respond by saying I certainly do not feel humble about this.

Further, the Library of Congress, which is involved in this kind of work, the Society for Historic Preservation, the Smithsonian itself believes there is great value in participation. I know my colleague from Iowa understands that the people who are engaged in cultural preservation are an interesting group of individuals because they do devote their lives to one of the specks which exist in the activities of mankind.

Thank goodness we have them, because they are the people who seek out the various cultural factors that exist from the past. They are the ones who developed the carbon methods of dating. They are the ones like those we have employed at the Jefferson Memorial now, who know how to pump mud under a sinking building so that it does not crumble. They make so many meaningful contributions that enrich our lives and our appreciations.

While the gentleman from Iowa and I might not spend our weekends talking about these things, the folks who are really earnestly engaged in this sort of activity do go into it very deeply and devote their lives to it.

I say once more, had we not included this in the bill, and I wish we had not, it probably would have come some time in an authorization for the Smithsonian Institution or an organization like that, and no one probably would have raised objections to it because it was from the Smithsonian itself.

We do spend moneys of this kind for conferences, very many of them, as a matter of fact, and they are useful.

Mr. GROSS. How did we manage to stagger along all of these years without belonging to this center in Rome?

Mr. KYL. Probably very well, if I might answer the gentleman honestly. However, every year, too, there are things which are lost because we do not know exactly how to treat them, or the best way to treat them, and we also sometimes spend money needlessly because we do not use the latest scientific means of making the preservations. We could get along without saving anything of a historical kind, but I do not want to do so.

Mr. GROSS. Is all of that information classified top secret in this center in Rome?

Mr. KYL. Will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. KYL. As I indicated before, we

have been permitted to attend and absorb information, but undeniably we would get more out of it if we participated completely in the process.

Mr. GROSS. You mean by sending more people out on a larger junket?

Mr. KYL. I suppose these trips might be called junkets, but at the same time any business of any interested group I suppose could be so termed.

Mr. GROSS. Let me ask the gentleman this question for I do not seem to be getting very far very fast. Who fixed the amount of contribution on the part of the United States to this outfit at 1 percent or $100,000 per year?

Mr. KYL. It was fixed by UNESCO, and our people voted on the matter.

Mr. GROSS. Does the gentleman like to have a bunch of polyglots meet somewhere—in Ougadougou or New Delhi, India—in a meeting where we are outvoted 50 or 100 to 1—and fix a tax on the people of the United States? I am absolutely opposed to it. Does he think this is a good way of doing business?

The SPEAKER pro tempore. The time of the gentleman has expired.

Mr. SAYLOR. Mr. Speaker, I yield the gentleman 5 additional minutes.

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

Mr. GROSS. I yield to the gentleman.

Mr. KYL. I would respond in this fashion. This organization was set up by UNESCO. We participate in that. Our people voted on the establishment of it. To this time we have not appropriated funds for our participation.

Mr. GROSS. We contribute to UNESCO and we have contributed millions of dollars through the years. Now comes this latest international club to tell us how and when to jump through the hoop.

I do not like this kind of business and I do not intend to be caught voting for it here today or any other time.

Mr. KYL. Will the gentleman yield?

Mr. GROSS. I yield to the gentleman.

Mr. KYL. The other nations which are participating in this Rome center are, as a matter of fact, paying an extra fee to UNESCO to participate.

Mr. GROSS. I do not care what they do if it is their money that is being spent. What I care about is the money of the taxpayers of the United States. Do not try to minimize it. As I understood him, the gentleman from North Carolina (Mr. TAYLOR), a little while ago seemed to be minimizing $100,000. Well, bless your heart and soul, Mr. TAYLOR, I have a flood control project out in Waterloo, Iowa, and Congress appropriated $200,000 for that last year, but the administration has reserved or impounded the money. We are trying to keep people from being flooded and driven out of their homes nearly every year. I cannot get $200,000 for that. The money was appropriated and it has been reserved or impounded, call it whatever you will. Yet you come in here and with the greatest of ease provide $100,000 in this bill for dues to a club over in Rome, and this with the apparent blessing of the same budget office that denies money for worthwhile purposes. I do not like it.

Mr. ASPINALL. Mr. Speaker, will my colleague yield to me.

Mr. GROSS. I am delighted to yield to the gentleman.

Mr. ASPINALL. I do not want my friend, the gentleman from North Carolina (Mr. TAYLOR) to be maligned at all, but our committee was requested——

Mr. GROSS. What is that about the gentleman from North Carolina?

Mr. ASPINALL. I said I did not want the gentleman from North Carolina to be maligned at all.

Mr. GROSS. I would not think of maligning the gentleman. I am just giving him a few facts of life as we go along.

Mr. ASPINALL. The gentleman from North Carolina had a right to say what he did because we were requested to give an open-ended, an open-term for the Rome Center. We cut the Rome Center back for a definite appropriation authorization by 1 year, also cutting it to a 3-year term. This is what the gentleman from North Carolina was referring to. It was not with any particular glee when he was speaking about making available $100,000. We keep oversight on all these operations as closely as any committee of the House.

Mr. GROSS. I appreciate the committee conducting the best kind of oversight, but the facts of life are that the $100,000 in this bill will be spent for the purpose of attending a meeting at the so-called center in Rome or some place else.

It seems to me that with all the money we have put into the United Nations and UNESCO we ought to be able to get something back from it without putting up more money. For the life of me I do not see why the committee has jacked up the price of this bill as you apparently have to $32,000,000 over a period of 3 years.

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

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

Mr. KYL. In this bill we actually restore the original congressional authorizations which were impounded as were the funds for the gentleman's flood control project.

Mr. GROSS. I am not interested in freeing any funds for this purpose. I think we can get along in this day of financial crisis without joining the Rome Center and a lot of other foreign spending.

Mr. KYL. If the gentleman will permit me to complete my answer to his question, what we are doing here is simply trying to restore what the Congress once did.

Mr. GROSS. Is there anything wrong with Congress changing its mind or slowing down its appropriations process in terms of the financial crisis which face the country? What is wrong with that? And what would be wrong with delaying this expenditure until we can stabilize our finances?

Mr. KYL. Mr. Speaker, if the gentleman will yield further, the gentleman knows that I am much of the same mind as he is in the matter of economy.

We once promised the States this amount of money and many of the States acted in accordance with our announced purpose. Then, not because of the gentleman from Iowa or the gentleman from North Carolina, we broke faith with those States who went ahead with their part of the program.

Mr. GROSS. You could not pick a more inopportune time to make another mistake. I thought it was a mistake then and know it now.

Mr. KYL. It may be an opportune time in one respect, because if we do nothing, the promised program would die, leaving the States in limbo.

Mr. GROSS. Mr. Speaker, if this bill could be amended I would try to knock out the authorization for the $100,000 handout for the club in Rome. Since it is not amendable, and since I am convinced there are projects in this country of far higher priority for the spending of $32 million, plus the $100,000, I have no alternative but to vote against the entire deal.

The SPEAKER pro tempore (Mr. BOGGS). The question is on the motion of the gentleman from North Carolina that the House suspend the rules and pass the bill H.R. 14896, as amended.

The question was taken.

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

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

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

The question was taken; and there were—yeas 317, nays 9, not voting 104, as follows:

[Roll No. 49]

YEAS—317

Abbitt	Byrne, Pa.	Eshleman
Abernethy	Cabell	Evins, Tenn.
Adair	Caffery	Fallon
Adams	Camp	Farbstein
Addabbo	Carey	Fish
Albert	Carter	Flood
Anderson, Calif.	Casey	Flowers
	Celler	Flynt
Anderson, Ill.	Chamberlain	Foley
Anderson, Tenn.	Chappell	Ford, Gerald R.
	Clancy	Ford, William D.
Andrews, Ala.	Clark	
Andrews, N. Dak.	Clausen, Don H.	Foreman
		Fountain
Arends	Cleveland	Frelinghuysen
Aspinall	Cohelan	Frey
Beall, Md.	Collins	Friedel
Belcher	Colmer	Fulton, Pa.
Bennett	Conable	Fuqua
Berry	Conte	Galifianakis
Betts	Corbett	Gallagher
Biaggi	Coughlin	Gettys
Biester	Cowger	Giaimo
Bingham	Crane	Gibbons
Blackburn	Culver	Gilbert
Blanton	Cunningham	Gonzalez
Blatnik	Daniel, Va.	Green, Pa.
Boggs	Daniels, N.J.	Griffin
Boland	Davis, Ga.	Griffiths
Bolling	Davis, Wis.	Gubser
Bow	Delaney	Gude
Brademas	Denney	Haley
Bray	Dennis	Halpern
Brinkley	Dent	Hamilton
Brooks	Derwinski	Hammer-schmidt
Broomfield	Dickinson	
Brotzman	Dingell	Hansen, Idaho
Brown, Mich.	Donohue	Harrington
Brown, Ohio	Downing	Harsha
Broyhill, N.C.	Duncan	Harvey
Broyhill, Va.	Eckhardt	Hastings
Buchanan	Edmondson	Hathaway
Burke, Fla.	Edwards, Ala.	Hawkins
Burke, Mass.	Edwards, Calif.	Hays
Burlison, Mo.	Edwards, La.	Hechler, W. Va.
Burton, Calif.	Eilberg	Heckler, Mass.
Button	Esch	Helstoski

Henderson	Miller, Ohio	Ryan
Hicks	Mills	St. Onge
Hogan	Minish	Satterfield
Holifield	Mink	Saylor
Hosmer	Minshall	Schadeberg
Howard	Mize	Scherle
Hull	Mizell	Schneebeli
Hungate	Mollohan	Schwengel
Hunt	Monagan	Scott
Hutchinson	Moorhead	Sebelius
Ichord	Morgan	Shipley
Jacobs	Morse	Shriver
Jarman	Morton	Sikes
Johnson, Calif.	Mosher	Skubitz
Johnson, Pa.	Moss	Slack
Jonas	Murphy, N.Y.	Smith, Calif.
Jones, Ala.	Natcher	Smith, Iowa
Jones, N.C.	Nedzi	Smith, N.Y.
Karth	Nelsen	Springer
Kastenmeier	Nichols	Stafford
Kazen	Obey	Staggers
Kee	O'Hara	Stanton
Keith	Olsen	Steed
King	O'Neal, Ga.	Steiger, Ariz.
Kleppe	O'Neill, Mass.	Stokes
Koch	Passman	Stratton
Kyl	Patman	Symington
Kyros	Patten	Talcott
Landrum	Pelly	Taylor
Langen	Pepper	Thompson, Ga.
Latta	Perkins	Thompson, N.J.
Leggett	Pettis	Thomson, Wis.
Lennon	Philbin	Udall
Lloyd	Pickle	Van Deerlin
Long, Md.	Pike	Vander Jagt
Lowenstein	Poage	Vanik
Lujan	Podell	Vigorito
McClory	Poff	Waggonner
McCloskey	Preyer, N.C.	Wampler
McClure	Price, Ill.	Watts
McCulloch	Quie	Whalen
McDade	Quillen	White
McDonald, Mich.	Randall	Whitehurst
	Rees	Whitten
McFall	Reid, N.Y.	Widnall
McKneally	Reifel	Wiggins
McMillan	Reuss	Williams
MacGregor	Rhodes	Wilson, Bob
Mahon	Riegle	Winn
Mailliard	Roberts	Wold
Marsh	Robison	Wolff
Martin	Rodino	Wright
Mathias	Rogers, Colo.	Wyatt
Matsunaga	Rogers, Fla.	Wydler
May	Rooney, N.Y.	Wylie
Mayne	Rooney, Pa.	Wyman
Meeds	Rosenthal	Yates
Melcher	Roth	Yatron
Meskill	Roybal	Young
Mikva	Ruppe	Zablocki
Miller, Calif.	Ruth	Zion

NAYS—9

Ayres	Goodling	Landgrebe
Collier	Gross	O'Konski
Devine	Hall	Snyder

NOT VOTING—104

Alexander	Fisher	Price, Tex.
Annunzio	Fraser	Pryor, Ark.
Ashbrook	Fulton, Tenn.	Pucinski
Ashley	Garmatz	Purcell
Baring	Gaydos	Railsback
Barrett	Goldwater	Rarick
Bell, Calif.	Gray	Reid, Ill.
Bevill	Green, Oreg.	Rivers
Brasco	Grover	Roe
Brock	Hagan	Rostenkowski
Brown, Calif.	Hanley	Roudebush
Burleson, Tex.	Hanna	St Germain
Burton, Utah	Hansen, Wash.	Sandman
Bush	Hébert	Scheuer
Byrnes, Wis.	Horton	Sisk
Cederberg	Jones, Tenn.	Steiger, Wis.
Chisholm	Kirwan	Stephens
Clawson, Del	Kluczynski	Stubblefield
Clay	Kuykendall	Stuckey
Conyers	Long, La.	Sullivan
Corman	Lukens	Taft
Cramer	McCarthy	Teague, Calif.
Daddario	McEwen	Teague, Tex.
Dawson	Macdonald, Mass.	Tiernan
de la Garza		Tunney
Dellenback	Madden	Ullman
Diggs	Mann	Waldie
Dorn	Michel	Watkins
Dowdy	Montgomery	Watson
Dulski	Murphy, Ill.	Weicker
Dwyer	Myers	Whalley
Erlenborn	Nix	Wilson, Charles H.
Evans, Colo.	Ottinger	
Fascell	Pirnie	Zwach
Feighan	Pollock	
Findley	Powell	

So (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

The Clerk announced the following pairs:

Mr. Annunzio with Mr. Horton.
Mr. Hébert with Mr. Del Clawson.
Mr. Barrett with Mrs. Dwyer.
Mr. Brasco with Mr. Grover.
Mr. Madden with Mr. Byrnes of Wisconsin.
Mr. Feighan with Mr. Cederberg.
Mr. Fascell with Mr. Sandman.
Mr. St Germain with Mr. McEwen.
Mr. Hanna with Mr. Teague of California.
Mr. Sisk with Mr. Ashbrook.
Mr. Charles H. Wilson with Mr. Whalley.
Mr. Jones of Tennessee with Mr. Kuykendall.
Mr. Fulton of Tennessee with Mr. Cramer.
Mr. Gray with Michel.
Mr. Garmatz with Mr. Pollock.
Mr. Dulski with Mr. Pirnie.
Mr. Daddario with Mr. Erlenborn.
Mr. Corman with Mr. Burton of Utah.
Mr. Mann with Mr. Findley.
Mr. Kluczynski with Mr. Bush.
Mrs. Sullivan with Mrs. Reid of Illinois.
Mr. Bevill with Mr. Goldwater.
Mr. Alexander with Mr. Myers.
Mr. Burleson of Texas with Mr. Price of Texas.
Mr. Dorn with Mr. Roudebush.
Mr. Waldie with Mr. Bell of California.
Mrs. Green of Oregon with Mr. Steiger of Wisconsin.
Mr. Fisher with Mr. Taft.
Mr. Gaydos with Mr. Dellenback.
Mr. Rostenkowski with Mr. Zwach.
Mr. Stephens with Mr. Watkins.
Mr. Tiernan with Mr. Brock.
Mr. Teague of Texas with Mr. Watson.
Mr. Stuckey with Mr. Lukens.
Mr. Hanley with Mr. Weicker.
Mr. Nix with Mr. Brown of California.
Mr. McCarthy with Mr. Clay.
Mr. Long of Louisiana with Mr. Macdonald of Massachusetts.
Mr. Ashley with Mr. Diggs.
Mr. Dowdy with Mrs. Hansen of Washington.
Mr. Rivers with Mr. Rarick.
Mr. Scheuer with Mr. Powell.
Mr. Ottinger with Mr. Murphy of Illinois.
Mr. Montgomery with Mr. Kirwan.
Mr. Ullman with Mr. Baring.
Mr. Roe with Mrs. Chisholm.
Mr. Pucinski with Mr. de la Garza.
Mr. Pryor of Arkansas with Mr. Stubblefield.
Mr. Tunney with Mr. Conyers.
Mr. Purcell with Mr. Hagan.
Mr. Fraser with Mr. Dawson.

The result of the vote was announced as above recorded.

The doors were opened.

A motion to reconsider was laid on the table.

INCREASING AUTHORIZATION FOR APPROPRIATION FOR CONTINUING WORK IN MISSOURI RIVER BASIN

Mr. JOHNSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15689) to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior.

The Clerk read as follows:

H.R. 15689

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated for fiscal years 1971 and 1972 the sum of $32,000,000 for continuing the works in the Missouri River Basin to be undertaken by the Secretary of the Interior pursuant to the comprehensive plan adopted by section 9(a) of the Act approved December 22, 1944 (Public Law Numbered 534, Seventy-eighth Congress, as amended and supplemented by subsequent Acts of Congress. No part of the funds hereby authorized to be appropriated shall be available to initiate construction of any unit of the Missouri River Basin project, whether included in said comprehensive plan or not.

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

Mr. JOHNSON of California. Mr. Speaker, I yield such time as he may consume to the chairman of the full Committee on Interior and Insular Affairs, the gentleman from Colorado (Mr. ASPINALL).

Mr. ASPINALL. Mr. Speaker, the next three bills are reclamation bills. The first two bills are authorization bills which must be acted upon one way or the other before the appropriations can be made. Each one of the three bills, especially the first two, have been gone over very closely by the Subcommittee on Irrigation and Reclamation. They are in proper form. They conform to the wishes of the Appropriations Committee.

I might say that the other body has seen fit to already pass one of these bills and at the end of the discussion of our bill and its passage, which was reported out of the committee in the identical form of the Senate bill, we plan to ask for unanimous consent for the immediate consideration of the Senate-passed bill.

Mr. Speaker, these bills should cause no trouble this afternoon and I am hopeful that it will not take long to dispose of them.

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

Mr. Speaker, I rise in support of H.R. 15689. This bill increases by $32 million the authorization for appropriation on works to be performed by the Bureau of Reclamation of the Department of the Interior in the Missouri River Basin. This work will be done pursuant to the comprehensive plan which was adopted in the Flood Control Act of 1944, Public Law 78–534.

Since the passage of the Flood Control Act of 1944 and up through fiscal year 1969, the development of the Missouri River Basin by the Bureau of Reclamation has involved planning and construction on 33 units at a total cost of $1.127 billion. Appropriations totaling $995 million have been used for this work as of June 30, 1969. Of these 33 units, 13 were entirely completed on June 30, 1969, and 17 are in active construction status in this fiscal year. The completed units plus those substantially completed with operating facilities provide irrigation water to 420,500 acres, 721,960 acre-feet of water for municipal and industrial uses,

and 424,200 kilowatts of electric power. The units under construction, when completed, will supply an additional irrigation water, municipal and industrial water and electric power.

This legislation provides the authorization for appropriations for work to be done in fiscal years 1971 and 1972. The program for fiscal 1971 involves an appropriation of $13,838,000 which will continue active construction on the Yellowtail unit in Montana and Wyoming, work on various transmission divisions, various investigations and drainage and minor construction work in 11 units or divisions.

The program for fiscal 1972 involving an appropriation of $18,130,000 will clean up the construction on the Yellowtail unit, complete drainage and minor construction on nine units or divisions, and continue the investigation program and the work on the transmission divisions.

Section 9(e) of the Flood Control Act of 1944 authorized the appropriation of $200 million for partial accomplishment of the comprehensive plan to be undertaken by the Secretary of the Interior. Because of the inaccurate long and drawn out comprehensive plan of the Corps of Engineers, U.S. Army, the appropriation authorization of $200 million has long been recognized as inadequate or insufficient. However, this type of planning by the Corps of Engineers and its congressional lobby are but two reasons for its existence as a Federal agency. Subsequent appropriation authorization acts have been required for the completion of these works in the Missouri River Basin totaling $1,073 million. This bill will increase the total appropriation authorization to $1,105 million.

Over the years I have gone along with these appropriation authorizations for the Missouri River Basin development primarily because there has been little, if no choice, but to see it through. However, there are two components of this continuing program which will require serious scrutiny in the future. They are the continuing and increasing requests for appropriation authorizations for investigations and work on power transmission divisions. When the Committee on Interior and Insular Affairs began annual authorizations for the Missouri River Basin development we were advised that there were approximately 20 prospective new irrigation projects in the basin. The amounts annually authorized for continuing investigations have not turned up any new projects so far as I can determine.

The other component of this authorization which is disturbing is the increasing amounts requested for construction of transmission facilities. This is particularly true when approximately all the authorized powerplants in the Missouri River Basin are essentially built and operational. Over 50 percent of the appropriation authorizations for fiscal 1971 and 1972 are allocated for this expenditure. The position that this amount is required to improve the reliability of the system will require careful consideration by the committee in future requests for appropriation authorizations.

Mr. Speaker, I urge that the rules be suspended and H.R. 15689 be passed.

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

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

Mr. GROSS. Mr. Speaker, I thank the gentleman for yielding. Could it be possible that this $32 million expenditure has the approval of the Bureau of the Budget?

Mr. SAYLOR. This $32 million expenditure has the approval of the Bureau of the Budget and the administration at the present time.

Mr. GROSS. And this is for flood control?

Mr. SAYLOR. This is for a number of purposes: flood control, for municipal and industrial water, for construction of powerlines, and for completion of certain other projects which have been authorized for construction or are in the process of construction in the Missouri River Basin. It is not for the authorization of any new projects in the Missouri River Basin.

Mr. GROSS. So that if anyone wanted to get money for flood control from the Bureau of the Budget these days, he should be from the Missouri River area. If you happen to be on an island stream you are out in the cold, for your money is impounded or reserved, or whatever they are pleased to call it at the Bureau of the Budget.

Mr. SAYLOR. It is my understanding, I might say to my colleague from Iowa, that this will authorize no new projects in the Missouri River Basin, but it will authorize the completion of projects which are already under construction.

Mr. GROSS. Is that not just lovely?

Mr. SAYLOR. Well, I do not know whether it is lovely or not, but it is the state of the art at the present moment.

Mr. JOHNSON of California. Mr. Speaker, H.R. 15689 will authorize appropriations for the continuation of the Missouri River Basin project by the Secretary of the Interior for the fiscal years 1971 and 1972. It will authorize the Committee on Appropriations to include funds for this activity in the amount of $13,838,000 in the public works appropriation bill for fiscal year 1971 and will authorize an added amount of $18,130,000 for fiscal year 1972.

These funds will be used by the Department of the Interior to complete work on the elements of the Missouri River Basin project that were started under the authority of the Flood Control Acts of 1944 and 1946. Beginning in 1944, appropriations authority for the Missouri River Basin project was provided periodically in flood control legislation. This procedure was followed from 1944 through 1960 during which time appropriations in the amount of $810,000,000 were authorized. Beginning in 1963, individual bills have been required and since 1964, these bills have been biannual affairs. This procedure has allowed the Committee on Interior and Insular Affairs to stay in close touch with progress on the program and to exercise needed oversight on behalf of the Congress. Under previous legislation there has been authorized for appropriation for this program an aggregate amount of $1,073,000,000. In the three immediately preceding biannual bills, the amounts have been progressively reduced from $120,000,000 in 1964, to $68 million in 1966, $59 million in 1968, to $32 million in the present bill. This trend gives promise that amounts required in succeeding years will be further reduced and suggests that within a few years we will not need this particular legislation, as it may be possible for the Secretary to seek such minor fund needs as he will then require under some other funding authority.

The funds for fiscal year 1971 will be used to continue the Yellowtail unit and transmission division, perform minor completion and drainage on 11 other units, and engage in a limited investigation program looking toward additional feasible development.

The funds for fiscal 1972 will be required for the same kind of activity.

It is important to note that the money that will be authorized to be appropriated by H.R. 15689 may not be used to initiate new activities in the Missouri River Basin. From time to time, the Congress authorizes additional units and projects in this area, but those programs provide their own appropriations authority.

Mr. Speaker, there is, as implied earlier in my remarks, a sense of urgency connected with the consideration of this measure. This comes about from the need to dispose of this bill so that the Committee on Appropriations can get on with its work in the field of public works appropriations. For this reason and for the added reason that it is a conservatively drawn and carefully considered measure, I urge its acceptance by all Members.

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

Mr. JOHNSON of California. I yield to the gentleman from Montana.

Mr. OLSEN. Mr. Speaker, I rise to support the increased authorization for appropriations for the continuing work in the Missouri River Basin. Specifically, I strongly support the continuance of the completion of the Yellowtail Unit in Montana and Wyoming for $495,000 in 1971 and $2,048,000 in 1972; for the East Bench Unit, Dillon, Mont., for $380,000 in 1971 and $256,000 in 1972; for the Helena Valley Unit, Helena, Mont., for $210,000 in 1971 and $292,000 in 1972; for the lower Marias Unit, Chester, Mont., for $8,000 in 1971, and for $300,000 in 1972; for the Owl Creek Unit, Mont., for $60,000 in 1971, and for $50,000 in 1972.

Further, I agree that the Transmission Division for the transmission of power should have the greater authorization to the extent of $8,644,000 in 1971 and $11,411,000 in 1972.

Further, it seems to me there ought to be increased authorization based upon the broadened and more liberal recognition of the benefits of numerous other benefits in addition to irrigation, power development, flood control, namely municipal water use, and industrial water use from all the tributaries of the Missouri.

Specifically, I think there should be greater recognition of the numerous benefits of the Reichle Dam storage—

that is, municipal water uses and industrial water uses.

Reichle Dam has been justified twice in my mind under the old criteria and only because of the delays of the Department has the project lost its justification by reason of ever increasing interest rates charged to the project. This would not have happened had the Department not delayed in its decision. I would hope that the Committee on Interior and Insular Affairs would have hearings soon on the question of broadening the recognition of beneficial uses and recognizing the additional beneficial uses we have gained in our years of experience with construction projects. The old uses are wonderful by having added to their value by bringing to light the new beneficial values.

Let us get busy in recognizing the new beneficial values.

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

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

Mr. HALL. Mr. Speaker, I appreciate the gentleman yielding, and having been reassured that this is within the budget and for ongoing projects, I have only two questions:

One: Why is there an increase in the authorization for $4.5 million?

Mr. JOHNSON of California. To the best of my knowledge, the funds are not increased. This was the request that was sent to the chairman of the full committee for introduction, and the total amount was $32 million. The funds for 1971 are $13 million plus, and the funds for fiscal year 1972 are $18.13 million, as itemized in the letter to the chairman of the full committee for the purpose of inclusion in the bill that is before us. As I understand it, this was the amount requested by the Departments and by the administration and approved by the Bureau of the Budget. These are funds that are used to just complete the ongoing projects, there is no increase, as far as I know.

Mr. HALL. I understand that, and I appreciate the reassurance given by the gentleman, and perhaps I misinterpreted the list in the way I added it up. I thought it was $4.5 million over last year's appropriation.

Mr. JOHNSON of California. The appropriation authorization for the last 2 fiscal years called for $59 million for those 2 construction years.

Mr. HALL. I thank the gentleman, and I appreciate his reassurance.

Second, let me ask if in the committee's view—and I know they maintain oversight and an annual review on the handling of these programs, and I appreciate it—but has due consideration been given to the continual flow downstream in this basin to maintain the 9-foot channel?

Mr. JOHNSON of California. Mr. Speaker, I presume that that has absolutely been taken care of because these are previously authorized projects under construction, and at that time the 9-foot channel was provided for.

Mr. HALL. I thank the gentleman.

The SPEAKER. The question is on the motion of the gentleman from California that the House suspend the rules and pass the bill H.R. 15689.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill was passed.

A motion to reconsider was laid on the table.

INCREASING AUTHORIZATION FOR APPROPRIATION FOR CONTINUING WORK IN MISSOURI RIVER BASIN

Mr. JOHNSON of California. Mr. Speaker, I ask unanimous consent for the immediate consideration of the Senate bill (S. 3427) to increase the authorization for appropriation for continuing work in the Missouri River Basin by the Secretary of the Interior, an identical bill to the one just passed.

The Clerk read the title of the Senate bill.

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

There was no objection.

The Clerk read the Senate bill, as follows:

S. 3427

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is hereby authorized to be appropriated for fiscal years 1971 and 1972 the sum of $32,000,000 for continuing the works in the Missouri River Basin to be undertaken by the Secretary of the Interior pursuant to the comprehensive plan adopted by section 9(a) of the Act approved December 22, 1944 (Public Law Numbered 534, Seventy-eighth Congress), as amended and supplemented by subsequent Acts of Congress. No part of the funds hereby authorized to be appropriated shall be available to initiate construction of any unit of the Missouri River Basin project, whether included in said comprehensive plan or not.

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

A similar House bill (H.R. 15689) was laid on the table.

AUTHORIZING APPROPRIATIONS FOR SALINE WATER CONVERSION PROGRAM, 1971

Mr. JOHNSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (H.R. 15700) to authorize appropriations for the saline water conversion program for fiscal year 1971, and for other purposes, as amended.

The Clerk read as follows:

H.R. 15700

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That there is authorized to be appropriated to carry out the provisions of the Saline Water Conversion Act (66 Stat. 328), as amended (42 U.S.C. 1951 et seq.) during fiscal year 1971 the sum of $28,873,000, to remain available until expended as follows:

(1) Research and development operating expenses, not more than $16,150,000: *Provided,* That, notwithstanding the provisions of section 8 of the Saline Water Conversion Act (66 Stat. 328), as amended (42 U.S.C. 1958), not to exceed $100,000 of such amount may be obligated for the procurement of research services through contract with institutions or individuals in foreign countries;

(2) Design, construction, acquisition, modification, operation, and maintenance of saline water conversion test beds and test facilities, not more than $5,000,000;

(3) Design, construction, acquisition, modification, operation, and maintenance of saline water conversion modules, not more than $5,345,000; and

(4) Administration and coordination, not more than $2,378,000.

(b) Expenditures and obligations under any of the items in this section, except item (4), may be increased by not more than 10 per centum if such increase is accompanied by an equal decrease in expenditures and obligations under one or more of the other items, including item (4).

The SPEAKER. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER. The gentleman from California (Mr. JOHNSON) will be recognized for 20 minutes, and the gentleman from Pennsylvania (Mr. SAYLOR) will be recognized for 20 minutes.

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

Mr. JOHNSON of California. Mr. Speaker, I yield such time as he may consume to the gentleman from Colorado, the chairman of the full committee (Mr. ASPINALL).

Mr. ASPINALL, Mr. Speaker, this is an authorization that takes care of continuing the work of the Saline Water Office program which was authorized first in 1952. The program was authorized for several years.

Several years ago the committee felt it needed closer supervision over the activities of the Office of Saline Water. So the last 2 or 3 years we have asked for an annual authorization. This is an annual authorization staying within the limits that the committee feels are necessary to carry on a viable program, and giving to the office moneys necessary for its contracting authority and for the personnel that the office needs.

This is not a large administrative agency. This is a small administrative agency. Their record is good. We proceeded not as fast as some of us in 1952 thought we were going to, but we have made rapid strides. Water which at one time cost $3 or more per thousand gallons, we now have gotten down to a figure of 65 cents to 85 cents per thousand gallons. We have made great progress. We still have a long way to go to use waters that are brackish and waters that are saline, and we need to carry on our research work.

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

(Mr. SAYLOR asked and was given permission to revise and extend his remarks.)

Mr. SAYLOR. Mr. Speaker, I rise in support of this bill, as amended, to authorize appropriations for the saline water conversion program.

The purpose of this legislation is to authorize the appropriation of $28,873,000 to carry on the research and develop-

ment program of the Office of Saline Water for fiscal 1971. This annual authorization is in keeping with the policy adopted in the 90th Congress in order to assure an innovative but controlled desalting program.

Since the inception of this program in 1952, a total sum of $183,190,000, up through fiscal 1970, has been authorized to be appropriated for the purpose of developing low cost potable water on a large scale from saline and brackish waters through research and development. In the 18-year existence of this program no significant breakthrough has been achieved to accomplish the objectives of the program. The major accomplishment of the saline water conversion program has been the advancement of large-scale desalting technology through the refinement of known processes. However, there continues to be some hope for the program as a result of newly found confidence in the present management of the program.

The Committee on Interior and Insular Affairs in considering this legislation adopted two major amendments to the bill as introduced. The first amendment reduces by $500,000 the administration request for appropriation authorization. Nevertheless, the bill as amended and approved by the committee represents an increase of approximately $3 million over the fiscal 1970 appropriation authorization. The committee feels that with the authority to transfer funds among program functions as presently in the basic law, there is sufficient flexibility to more than cover the $500,000 decrease.

The other major committee amendment provides limited authority for the procurement of research services through contract with institutions or individuals in foreign countries. The committee adopted the amendment to permit the Office of Saline Water to extend two specific research contracts, one in Israel and the other in England, as opposed to the request for general authority to conduct foreign activities.

The bill as amended and approved by the committee presents a viable program for fiscal 1971, and I urge that the rules be suspended and the bill be passed.

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

Mr. SAYLOR. I am happy to yield to my colleague from Iowa.

Mr. GROSS. Does this bill not provide that "not to exceed $100,000 of such amount may be obligated for the procurement of research services through contract with institutions or individuals in foreign countries"?

Mr. SAYLOR. That is correct. The contracts have already been entered into. These are prior contracts. The bill would authorize the expenditure of funds for contracts that are presently in existence.

Mr. GROSS. I note on page 6 of the report the following language:

> We have noted with concern that the Office of Saline Water received no unsolicited research proposals from foreign sources during the past year. The foreign scientific community has become aware of the foreign restriction and is turning its attention to other problem areas.

In other words, if we did not cough up the money they would do something else—study butterflies, dandelions, or something of that kind. Is that correct?

Mr. SAYLOR. No; that is not correct. The Office of Saline Water was prevented, by a strict prohibition in legislation which passed this Congress last year, from entering into any new contracts, and we have not gotten the benefit of any new information from our foreign friends who are engaged in the same field.

Mr. GROSS. The report states, "We have noted with concern." What did they note with concern? I am not quite able to——

Mr. SAYLOR. One of the concerns is that foreign countries are just not cooperating with the United States in giving us the benefit of their research.

Mr. GROSS. How much of the $183 million expended for this purpose have we given to them in the past? Does the gentlemen have any figure on that?

Mr. SAYLOR. All the technology of the United States has been made available to foreign countries. Under some prior contracts their technology was made available to us. There are now no contracts with foreign countries except Israel and England. Their information is not available to us; consequently, our information is not available to them.

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

Mr. SAYLOR. I am happy to yield to the gentleman from Colorado.

Mr. ASPINALL. The gentleman from Iowa is quoting from the Department report. The departmental report shows the desire of the agency of the Government to be working more in foreign countries and groups of foreign countries than our committee desires them to do so. They say, "We have noted with concern that the Office of Saline Water received no unsolicited research proposals from foreign sources during the past year."

Our committee has gone on record. We do not care whether we solicit or whether we receive unsolicited requests. Nevertheless, we just do not believe that this is a foreign aid operation, and therefore we are limited to what we have had heretofore and we intend to keep it within those bounds during the next year. That is all we have done.

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

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

Mr. GROSS. I want to commend the committee for the position they have taken in this particular matter. I only wish that their influence could have extended over to the foreign handout bill, which authorized, if I remember correctly, $20 million to put Israel into the business of desalting water, or trying to desalt water for the purpose of irrigation, if you can believe that. At any rate, more money is apparently going to to go to Israel for research and experimentation in desalting than this committee proposes to spend in this country in what? One year?

Mr. SAYLOR. This is a 1-year program.

Mr. ASPINALL. Mr. Speaker, if the gentleman will yield further, I am sure our friend from Iowa joins with some of us, at least, in commending the Appropriations Committee. That $20 million has not been made available as yet.

Mr. GROSS. Mr. Speaker, if the gentleman will yield, as one Member of the House, I hope that it is never made available.

Mr. JOHNSON of California. Mr. Speaker, H.R. 15700 is a bill to authorize appropriations for the continuation of the research programs in desalinization of water by the Secretary of the Interior, through the Office of Saline Water. The bill as amended by the Committee on Interior and Insular Affairs will authorize $28,873,000 which is $500,000 less than requested by the administration, but is $3,873,000 more than was authorized for this purpose by the House in fiscal 1970.

This program has been in operation since 1952. It started out as a modest $2 million to be expended over a 5-year period. In subsequent years the program has been extended in term and enlarged in its scope. For several years, appropriations authority was conveyed by amending the basic Saline Water Conversion Act. For the past 5 years, the Congress has followed the practice of requiring an annual authorization and this is the second straight year in which there has been no change in the substantive legislation. The total authorizations for saline water conversion research through fiscal year 1970 is $183,190,000.

For appropriations purposes, the program of the Office of Saline Water is subdivided into four activities. H.R. 15700 provides specific amounts for each activity and further conveys administrative latitude to the Secretary of the Interior to adjust funds among activities to meet changes in program emphasis during the course of the fiscal year. This latitude is limited to 10 percent of the gaining activity with the further limitation that funds for administration and coordination may not be increased beyond the amount appropriated.

The bill, as amended in committee, provides appropriations authority to the various activity categories as follows:

Category 1: Research and development operating expense, $16,150,000.

Category 2: Design, construction, acquisition, modification, operation, and maintenance of saline water test beds and test facilities, $5,000,000.

Category 3: Design, construction, acquisition, modification, operation, and maintenance of saline water conversion modules, $5,345,000.

Category 4: Administration and coordination, $2,378,000.

Mr. Speaker, the Members will note that category 1, that is, research and development operating expense, has been reduced by amendment by $500,000, actually resulting in a cutback in this activity from fiscal 1970 when $17,223,000 was authorized. Our committee believes that the cut is warranted in the light of the general fiscal situation and in view of the history of carryover funds in like amount in recent years. Despite this reduction, there is, as noted, an overall

increase in the bill. This comes about solely through the authorization of a single new conversion module which will cost over $4 million. This module which will employ a combination of distillation concepts has been shown through design studies to be potentially superior than any single distillation concept standing alone. The new facility will employ a combination of multiple-stage flash distillation and the vertical tube process. It shows promise of reducing product water costs by as much as 15 percent below that attainable in a simple multistage flash plant.

This year, the Subcommittee on Irrigation and Reclamation, which handles this bill in the Interior and Insular Affairs Committee, undertook the most definitive inquiry into the distillation research program of the Office of Saline Water that we have had in recent years. We visited the installations in San Diego, Calif., where this work is going forward. There we saw firsthand how our research money is being used to resolve the many technical problems confronting the economical conversion of sea water to a useful product. This is a highly complex technical undertaking involving the interaction of many physical disciplines. I am convinced that the problems are, indeed, being resolved steadily and that we now have perfected technology through which competitive water supplies can be obtained for many localities.

I would not want the Members to believe that there has been the dramatic breakthrough that we have all heard will make the desert bloom as a rose. That has not happened and is not likely to happen. What is taking place and what can reasonably be expected to continue is the gradual resolution of the problems through intensive research, development, and testing of concepts, components, and materials. The combination module which will be authorized by H.R. 15700 provides the vehicle for the practical large-scale proving out of the fruits of this work.

Concerning the bill itself, the Members will note a number of amendments to the text in addition to the amendment to reduce the amount. Basically, these amendments serve to reject certain suggested changes in the Saline Water Conversion Act. One of these changes would have served to permit unlimited involvement with foreign countries and the second would repeal the statutory termination date on the program. The committee felt that changes as profound as these should only be made after a full and definitive review of the program, which there was not time to undertake in this session. The Committee on Interior and Insular Affairs intends to conduct such a review in the next session. At that time, it is proposed that there be a complete inquiry into the progress that has been made into the role of the Federal Government versus that of industry, and a reidentification of the mission of the Office of Saline Water. That will be the opportunity to make desirable changes in the organic charter if, on the basis of proper hearings, it appears that such changes are desirable.

Despite our belief that there should be no general change in the authority of the Secretary to engage in foreign activities, H.R. 15700 has been amended to allow a limited amount of research activity in fiscal year 1971. The bill will allow not to exceed $100,000 to be used for this purpose. This amount of money is specifically intended to be used for contracts with the Weizmann Institute in the Republic of Israel and the University of York in the United Kingdom. These institutions have an acknowledged competence in the field of membrane technology and their services should be continued in the interest of further progress in the reverse osmosis field.

Let me say, in closing, that the saline water conversion program, while not as dramatic as many hoped, has made giant strides toward the realization of useful water supply from otherwise useless resources. An important contribution of this program is the development of a domestic industrial capability that shows an increasing ability to carry out research and development. This industry has actually constructed badly needed water plants throughout the world and has brought prestige to the American scientific community while at the same time helped our balance of payments. As research programs go, it is being carefully and conservatively administered, and the Nation has a great deal to show for its investment. I do not hesitate to commend this bill to my colleagues and urge its adoption.

Mr. RYAN. Mr. Speaker, consideration of H.R. 15700, authorizing appropriations for the saline water conversion program for fiscal year 1971, provides an opportunity to comment upon the failure of the administration to participate in the Israeli prototype desalting plant for which $20 million has been appropriated.

It is anomalous that the administration has requested the House to appropriate moneys for desalting programs on the one hand, and on the other is refusing to use those moneys which the Congress has specifically mandated it to use to complement and enhance these programs.

That the $20 million for the Israeli desalting plant would be well spent is without question. The letter of Max N. Edwards, former Assistant Secretary of the Interior, to Congress on January 17, 1969, made explicit the direct benefits to be derived by the United States from such a plant. Mr. Edwards pointed out:

> Its significance to the United States is the opportunity to improve and advance science and technology in the field of saline water conversion and to contribute materially to development of low cost desalination processes.

The Foreign Assistance Act of 1969, Public Law 91–175, specifically provides, furthermore, that pursuant to any agreement into which the United States enters with Israel—

> All information, products, uses, processes patents and other developments obtained or utilized in the development of this prototype plant will be available without further cost to the United States.

From Israel's standpoint, as well, this $20 million would be well spent. She has already harnessed 95 percent of her fresh water reserves. Unless additional sources of fresh water are utilized, her agricultural development will be stymied.

Needless to say, Israel's progress has thus far been amazing. Whereas in 1949, the total land under cultivation amounted to 412,000 acres, the figure had risen, by 1967, to 1,050,000 acres. And that portion of the land which is irrigated rose from 75,000 acres in 1949 to 410,000 acres in 1967—more than a fivefold increase.

Yet, despite this impressive maximizing of her limited resources, Israel will be able to irrigate—once complete development of her fresh water supplies is achieved—only 40 percent of the land which could, if water were available, be irrigated. Clearly, Israel's growing food needs require her to rely on desalination as the means to develop sufficient water resources to irrigate her arid—but potentially fertile—lands.

Another point accounting for Israel's urgent need for large and effective desalination facilities is her requirement for revenues to support her economy. Fighting for her very survival, Israel must now spend one-fourth of her gross national product—or $1.2 billion—on defense. The revenues she receives from agricultural exports—$109 million alone in 1967—are obviously of critical importance. Needless to say, water is essential if these exports are to grow in volume.

Clearly from Israel's standpoint, then, the Nixon administration's heeding the will of Congress, which should follow automatically and which should not require protest such as I have already made on the floor on March 9, and in my letter of the same day to the President, is essential.

In addition to the facts that both the United States and Israel would benefit if the administration would only follow Congress' mandate, there is another factor which makes the administration's continued intransigence hard to understand. This is the commitment which this country gave to Israel to participate in this plant by virtue of President Johnson's assurance to the late Premier Eshkol of our willingness to assist Israel. Refusal to do so now belies that commitment.

Finally, I want to stress that this plant is feasible. This was made clear by the study conducted pursuant to agreement in 1965 between Israel and the United States. The February 1966 report of that study, entitled "Engineering Feasibility and Economic Study for Dual Purpose Electric Power Water Desalting Plant for Israel" concluded that an operating plant could be built and, if begun then, be in operation by late 1972.

I again urge the administration to respond to the will of Congress and to meet the commitment this Nation has made to Israel to participate in the design, development, and construction of a prototype desalting plant.

The SPEAKER pro tempore (Mr. HOLIFIELD). The question is on the motion of the gentleman from California that the House suspend the rules and pass the bill H.R. 15700, as amended.

The question was taken; and (two-thirds having voted in favor thereof)

the rules were suspended and the bill as amended, was passed.

A motion to reconsider was laid on the table.

AUTHORIZING TOUCHET DIVISION, WALLA WALLA PROJECT, OREGON-WASHINGTON

Mr. JOHNSON of California. Mr. Speaker, I move to suspend the rules and pass the bill (S. 743) to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division, Walla Walla project, Oregon-Washington, and for other purposes, as amended.

The Clerk read as follows:

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That (a) for purposes of supplying irrigation water initially for approximately ten thousand acres of land, providing municipal and industrial water, flood control, the enhancement of fish and wildlife resources, and the enhancement of recreation opportunities, the Secretary of the Interior (hereinafter referred to as the Secretary) is authorized to construct, operate, and maintain the Touchet division of the Walla Walla project, Oregon-Washington, in accordance with the Federal reclamation laws (Act of June 17, 1902, 32 Stat. 388, and Acts amendatory thereof or supplementary thereto). The principal works of the division (hereinafter referred to as the project) shall consist of the Dayton Dam and Reservoir, fish passage facilities, a diversion dam, and associated drainage facilities.

(b) The Secretary is authorized to construct the Dayton Dam and Reservoir to the physical limitations of the site and to recognize the cost of providing such additional capacity as a deferred obligation to be paid, in accordance with section 2 of this Act, at such time as the additional storage capacity is contracted for: *Provided,* That until such additional storage capacity is contracted for, operation and maintenance costs attributable to the excess capacity shall be funded and added to the construction costs allocated to deferred capacity.

(c) In order to assure a realization of the fish and wildlife enhancement benefits contemplated by this Act, the Secretary shall adopt appropriate measures to insure the maintenance of a streamflow between Dayton Dam and the mouth of the Walla Walla River that is not less than thirty cubic feet per second unless he determines that a water shortage or other emergencies exist or that lesser flows would be adequate for the maintenance of fish life.

SEC. 2. Irrigation repayment contracts shall provide for repayment of the obligation assumed thereunder with respect to any contract unit over a period of not more than fifty years, exclusive of any development period authorized by law. Construction costs allocated to irrigation beyond the ability of the irrigators to repay shall be charged to and returned to the reclamation fund in accordance with the provisions of section 2 of the Act of June 14, 1966 (80 Stat. 200), as amended by section 6 of the Act of September 7, 1966 (80 Stat. 707).

SEC. 3. The conservation and development of the fish and wildlife resources and the enhancement of recreation opportunities in connection with the Touchet Division shall be in accordance with the provisions of the Federal Water Project Recreation Act (79 Stat. 213). All costs allocated to the enhancement of anadromous fish species shall be nonreimbursable.

SEC. 4. The interest rate used for purposes of computing interest during construction and, where appropriate, interest on the unpaid balance of the reimbursable obligations assumed by non-Federal entities shall be determined by the Secretary of the Treasury, as of the beginning of the fiscal year in which construction is initiated, on the basis of the computed average interest rate payable by the Treasury upon its outstanding marketable public obligations which are neither due nor callable for redemption from fifteen years from date of issue, adjusted to the nearest one-eighth of 1 per centum.

SEC. 5. For a period of ten years from the date of enactment of this Act, no water from the project authorized by this Act shall be delivered to any water user for the production on newly irrigated lands of any basic agricultural commodity, as defined in the Agricultural Act of 1949, or any amendment thereof, if the total supply of such commodity for the marketing year in which the bulk of the crop would normally be marketed is in excess of the normal supply as defined in section 301(b)(10) of the Agricultural Adjustment Act of 1938, as amended, unless the Secretary of Agriculture calls for an increase in production of such commodity in the interest of national security.

SEC. 6. (a) There are hereby authorized to be appropriated to the Bureau of Sport Fisheries and Wildlife, for transfer to the Bureau of Reclamation, such sums as may be required to cover separable and joint construction costs of the Touchet Division, Walla-Walla project, allocable to the enhancement of anadromous fish as determined by cost allocation studies comparable to those set forth in House Document Numbered 155, Eighty-ninth Congress, second session.

(b) There are authorized to be appropriated to the Bureau of Reclamation for construction of the works involved in the Touchet Division $22,774,000 (January 1969 prices), less the amounts authorized by subsection (a) of this section.

(c) The total sums authorized to be appropriated by subsection (a) and subsection (b) of this section shall be plus or minus such amounts, if any, as may be required by reason of changes in the cost of construction work of the types involved therein as shown by engineering cost indexes, and, in addition thereto, such sums as may be required to operate and maintain such division: *Provided,* That funds appropriated pursuant to the authority contained in subsection (b) of this section shall be expended only if the amount thereof is increased in any given fiscal year by a porportionate amount appropriated pursuant to subsection (a) of this section.

The SPEAKER pro tempore. Is a second demanded?

Mr. SAYLOR. Mr. Speaker, I demand a second.

The SPEAKER pro tempore. Without objection, a second will be considered as ordered.

There was no objection.

The SPEAKER pro tempore. The gentleman from California is recognized for 20 minutes.

Mr. JOHNSON of California. Mr. Speaker, I yield to the gentleman from Colorado (Mr. ASPINALL) such time as he may consume.

Mr. ASPINALL. Mr. Speaker, the legislation now before us is an authorization for another small reclamation project, which in toto would cost $22,774,000. All last session of Congress there was a hold order on the authorization of new reclamation projects, but since the administration this session has recommended in its budget message sufficient moneys to increase the construction program of the Bureau of Reclamation, it was thought we could very honestly and logically authorize a few million dollars worth of new reclamation projects so that we would have a going program.

We have already authorized a project in Washington. This is the second for this Congress. The other was known as the Kennewick extension project. This is the Touchet division of the Walla Walla project.

There is one thing about this project that is different from any other project we have had before, and that is the amount that has been allocated to the fish and wildlife enhancement. Our projects of recent years have all been multiple purpose projects, tending to have less and less irrigation benefits and more and more municipal water benefits more and more power benefits, and more and more recreation benefits.

Here we have a project which has a great deal of fish and wildlife enhancement benefit, at least to the tune of more than half of the project cost. Our committee thought it was only fair in authorizing this project, which is a good project and has a very fine benefit-cost ratio, that we ask that these funds for the anadromous fish benefits in the river be taken from the program of another agency of Government rather than from the reclamation fund. So this legislation has the one amendment that provides for this. The committee was not unanimous on it, but almost unanimous on it, in thinking that this would be a very good way to take care of the additional benefits which were not exactly related to the irrigation program.

The project is a good project.

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

Mr. ASPINALL. I am glad to yield to the gentleman from Iowa.

Mr. GROSS. Will the gentleman turn to page 3 of the bill and briefly explain how the interest is to be computed? I do not quite understand the language. In other words, is the interest rate to be computed on the basis of 15-year Government obligations?

Mr. ASPINALL. Outstanding obligations of the Government. This is the old formula which we have always used on reclamation projects. This has nothing to do, of course, with the question of interest as it applies to figuring the benefit-cost ratio. This has to do with the borrowing of money for the construction of this particular project at the time construction starts. The rate is based upon the average rate payable by the Treasury on outstanding obligations which are not due for redemption for 15 years from the date of issue.

Mr GROSS. For bonds issued by the Government with the maturity date at the end of 15 years.

Mr. ASPINALL. The gentleman is correct.

Mr. GROSS. I was not aware that the Government had very many 15-year bonds. I know it has made 40-year and 50-year loans to foreign countries at no interest, only a carrying charge of 1 percent or less. Do we have very many 15-year Government obligations?

Mr. ASPINALL. We have had them.

We should have more of them, rather than the short-term loans we have at the present time.

Mr. GROSS. I agree with the gentleman, but that will not make it so. I wondered if we had enough 15-year obligations outstanding to get any kind of a fix on the interest rate.

Mr. ASPINALL. Yes. We can get it. It will be, as I understand it, at the present time somewhere around 4⅞.

Mr. GROSS. Four and seven-eighths percent at the present time? Is that what the gentleman is saying? It must be higher than that.

Mr. ASPINALL. I am advised by one of my staff members it is a little lower than that.

Mr. GROSS. Lower than 4⅞?

Mr. ASPINALL. That is correct.

Mr. SAYLOR. Mr. Speaker, I yield such time as she may consume to the gentlewoman from Washington (Mrs. MAY).

Mrs. MAY. Mr. Speaker, this is a landmark day for me and for the people of the city of Dayton and the Touchet Valley in my district in the State of Washington—all of us have long awaited congressional authorization of the Touchet division of the Walla Walla project.

The Touchet division feasibility report was first prepared in 1962. Although the many benefits of this project have long been recognized, it was not until 1968 that preliminary hearings were held in the House, and full hearings were held last year. The favorable report from the Department of the Interior and concurring views of the Bureau of the Budget were among the first on any bills of this nature to be issued during the current administration.

This is an unusual project that it presents an opportunity to accomplish not only highly desired reclamation benefits, but also is a multiple purpose project that presents us with an opportunity to control particularly disastrous floods which have plagued Dayton and the Touchet Valley for years, which gives us an opportunity to enhance fisheries in the area and throughout the Pacific coastal region, and gives us also an opportunity to provide for public recreation in an area where recreation needs have increased. This legislation will also provide the city of Dayton, Wash., with a needed domestic and industrial water supply.

The principal works of the Touchet project will be the Dayton Dam and Reservoir on Touchet River, about 4 miles upstream from the city of Dayton. The reservoir of this earthfill, 200-foot high dam will have a storage capacity of 52,600 acre-feet. The major portion of this capacity will be utilized for conservation storage, irrigation, municipal water, and for fisheries and wildlife. The remainder will be used for control of seasonal floods and for conservation.

The irrigation and municipal water will be released from the Dayton Reservoir into the channel of the Touchet River, and irrigators and the city of Dayton will divert it through their own facilities. The Touchet Valley is a long, narrow valley and the irrigation water will initially serve nearly 10,000 acres. The project will make possible the growing of vegetables for canning and freezing, replacing dryland wheat farming. Livestock production will also increase.

The flood control aspects of the Touchet project are important. The Touchet Valley has been repeatedly and severely hit by destructive floods. Most recently these occurred in the winter of 1964–65 and in January and February of 1969. At that time it was estimated that of the more than $350,000 in tangible flood damages that resulted, $300,000, or most of it, would have been prevented had Dayton Dam been in place. In the earlier floods, in excess of $1 million in damages would have been prevented. On both occasions, the floods left the city of Dayton without a domestic water supply except for an auxiliary well which could not provide other than bare essential emergency needs.

The Dayton Reservoir would provide the only recreation lake of consequence in the area and the National Park Service has prepared a good recreation plan for the reservoir. The Columbia County Port District has agreed to administer the plan in accordance with the provisions of the Federal Water Project Recreation Act.

The reservoir will also provide sport fishery, and waterfowl and wildlife habitat. The water released from the reservoir will maintain anadromous fish runs in Touchet River, and facilities for fish enhancement will be provided.

As a sponsor of legislation in the House similar to S. 743—H.R. 1216—I urge the approval of this bill.

Mr. JOHNSON of California. Mr. Speaker, I yield myself such time as I may consume.

(Mr. JOHNSON of California asked and was given permission to revise and extend his remarks and include extraneous matter.)

Mr. JOHNSON of California. Mr. Speaker, S. 743 will authorize the Secretary of the Interior to construct the Touchet division, Walla-Walla Basin project in the State of Washington. This is a very carefully investigated and fully justified development, even under the rigid analytical criteria now being used for water resource development projects. It will meet to a high degree the water resource related needs of the local community and make a great contribution to the sectional and regional economy.

The project is a simple one in a physical sense. It consists solely of a dam and reservoir and the immediate appurtenant facilities. The dam which has been designated as Dayton Dam will be located about 4 miles upstream from the city of Dayton, Wash. It will create a reservoir of 52,600 acre-feet. This amount of capacity can be operated to achieve a very high degree of regulation both from the standpoint of flood control and from the standpoint of conserving water supplies for beneficial uses.

Fifteen thousand acre-feet of the reservoir capacity will be used for flood control during the late winter and spring season when streamflow is at a maximum. At other seasons, this capacity will be available for water storage. With the exception of a dead storage pool of 4,400 acre-feet for fish preservation, the remainder of the space will be operated for conservation purposes.

The reservoir will be equipped with facilities for outdoor recreation and the dam will be equipped with fish passage equipment to facilitate the passage of migratory or anadromous fish both upstream and downstream.

At one time, the Touchet River was an important salmon and steelhead spawning and rearing stream. This resource has been destroyed by the works of man which have depleted streamflow to essential zero in the summer months when salmon spawn and migrate. Despite this level of development, the area is chronically short of irrigation water supplies for the lands holding water rights and many acres of highly suitable lands have no water supply at all. The city of Dayton is also dependent on the river for its municipal supplies and in certain seasons, not even this high priority use can be served. Being totally unregulated, the Touchet River is a notorious flooding stream and in most years some property loss is caused from this source. In other more severe years, the flood damage to private and public property is such as to cause serious economic distress.

Dayton Reservoir will have the capability to rectify and overcome all of these problems. It will furnish almost total protection from flooding, assure a dependable water supply for the city of Dayton, enable the irrigation of approximately 20,000 acres of high quality land capable of growing specialty crops, and benefit outdoor water-based recreation.

The most unique feature of this project is its capability to make a contribution to an improved environment in terms of the restoration of the salmon and steelhead runs. Irrigation releases from Dayton Reservoir, for subsequent diversion at a number of downstream points will provide a level of flow adequate for the fish runs. This water will be of high quality from the standpoint of dissolved oxygen and this factor will also be helpful to the fish population. It is important to note that the creation of the water conditions through which the fish population can be restored is a byproduct effect of the irrigation operation and involves no additional expenditures of funds. The realization of these important fish benefits does require a means of passing migrants by the Dayton Dam and these facilities will be provided as a part of the project plan.

Mr. Speaker, the plan which I have described will cost $22,774,000 at January 1969 price levels. The costs will be shared in accordance with established Federal law and procedure and the project has a benefit-cost ratio of 1.72 at the discount rate of 3¼ percent. At the rate of 4⅞ percent which would be invoked if the project were being sent up at this time by the administration the ratio would still be 1.2.

There are two aspects of this program, however, that deserve special mention, and which were the subject of intensive consideration by the Committee on Interior and Insular Affairs. The House should take particular note of the committee amendment to section 6 of the bill

and the situation which motivated the committee to recommend this amendment. The situation centers around the fish and wildlife features of the project. Reference to the committee report will show that more than one-half the cost of this project is allocated to fish and wildlife, and the great percentage of that amount is for the restoration of anadromous fish resources in the Touchet River. Also, the costs of this restoration program, some $9,082,000, will be nonreimbursable.

The committee recognized that a program of this character can indeed be brought up under a literal reading of general water resource development law, but it, nevertheless, presents a substantial departure from the customary Federal reclamation project from the standpoint of the amount of the cost assignable to fish and wildlife. This unique feature of the Touchet division presented the Committee on Interior and Insular Affairs with a dilemma. The other features of the project—the irrigation, the municipal water, the flood control, the recreation, and the at-site fish and wildlife purposes, were eminently well justified and badly needed. For that matter, the anadromous fish restoration also appeared to be economically justified. Our committee had no desire to withhold this project that is otherwise so well qualified and feasible. At the same time, we recognized that the anadromous fish restoration and enhancement program came basically within the purview of the Committee on Merchant Marine and Fisheries. Accordingly, the advice of the chairman of that committee and its Subcommittee on Fisheries was sought and received. Letters of response from Chairman GARMATZ and Chairman DINGELL of the full committee and subcommittee, respectively, were received. These letters endorse the anadromous fish features of the Touchet division, and I herewith present them for inclusion in the RECORD at the conclusion of my remarks. The amendment to section 6 is reflective of the significance of anadromous fish to the plan for the Touchet division. Its basic purpose is to enable participation in funding decisions within the executive branch by the agencies and instrumentalities of that branch of Government having the primary interest and responsibility for the salmon and steelhead resources of the Pacific Northwest.

Our amendment, which simply authorizes an appropriate part of the required funds to be appropriated to the Bureau of Sport Fisheries and Wildlife, will also offer clear testimony to the role of reclamation projects in environmental protection and enhancement. In this sense, Mr. Speaker, the amendment is relevant to the nature of the project and to the public concern for the associated values found in properly formulated water projects. I therefore urge the support of all Members for its adoption.

Our committee also viewed with concern the fact that not enough land had been subscribed for water service to utilize the full regulatory capability of Dayton Reservoir. We were convinced, however, that suitable land resources are available and that the owners of these lands will bring them into the project service area after authorization. To assure that the project sponsors will actively pursue the sign-up of the additional required lands, we have expressed in the committee report the admonition that construction not be initiated until the land base has been expanded to utilize all of the water supply. This will doubtless prove to be an effective constraint on project development until the committee's requirements are met.

Mr. Speaker, with the committee amendment and the restrictive language in the report, we have presented a bill that will, at one and the same time, let advance planning study proceed on a highly desirable and deserving project while the overall public interest is provided with effective safeguards. The bill, as thus proposed to be amended, is in my judgment fully supportable and should be approved here today. I urge all of my colleagues to give it their full support.

The material referred to follows:

WASHINGTON, D.C.,
July 28, 1969.

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: This will acknowledge your letter of July 2 concerning two bills pending before your Committee which would authorize the Secretary of the Interior to construct, operate and maintain the Touchet Division, Walla-Walla project, Oregon-Washington, and for other purposes. They are H.R. 1216 by Mrs. May and H.R. 9252 by Mr. Foley.

I appreciate your communicating with my Committee and bringing to its attention the fact that more than half the cost of this project would result in the enhancement of anadromous fish resources. At this time, I do not see that the project presents any adverse problems.

I will advise you further after checking into this matter more thoroughly.

Sincerely,

EDWARD A. GARMATZ,
Chairman.

WASHINGTON, D.C., *August 11, 1969.*

Hon. WAYNE N. ASPINALL,
Chairman, Committee on Interior and Insular Affairs, House of Representatives, Washington, D.C.

DEAR MR. CHAIRMAN: I wish to express particular appreciation to you for communicating with the Committee on Merchant Marine and Fisheries on fish and wildlife values of the Touchet Division, Walla Walla project, Oregon-Washington.

Not only does the project appear to be desirable from the standpoint of enhancement of anadromous fish resources, but your kindness in permitting our Committee to view this matter is greatly appreciated.

I would respectfully suggest that a precedent of this sort, the preservation of stream flow for the enhancement of migratory fish resources, is indeed a desirable one. Many irrigation and diversion projects have not considered that aspect of conservation over the years and, as a result, we observe major water systems in the United States which dry up in their entirety at certain periods of the year for want of application of this kind of principle. Indeed, some western rivers are particularly afflicted with this problem, with an enormously destructive effect on salmon and similar resources.

I would hope that this principle could be applied in the future in connection with other water diversion and water storage projects. I believe that migratory fish resources could be substantially bettered by this, and the amount of water used to guarantee fairly regular annual flow should be slight, especially in relation to the benefit received.

With warm good wishes,

Sincerely,

JOHN D. DINGELL,
Member of Congress.

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

Mr. Speaker, I rise in support of S. 743, a bill to authorize the construction, operation, and maintenance of the Touchet division, Walla Walla project, in the States of Oregon and Washington.

The purpose of this bill is to authorize the Secretary of the Interior to construct, operate, and maintain the Touchet division of the Walla Walla project located in southeastern Washington. The principal feature of this division will be the Dayton Dam which will impound a reservoir of 52,600 acre-feet of water. In turn, the division will provide irrigation, municipal and industry water supply, outdoor recreation, fish and wildlife enhancement, and flood control to the Touchet River Valley and the city of Dayton, Wash.

Based upon 1969 cost indexes, the total construction cost is estimated at $22,774,000 and allocated among the project purposes. Costs allocated to irrigation will be reimbursable from water-user repayment contracts over a 50-year repayment period, from municipal and industrial water service, and from the sale of power marketed by the Federal Columbia River power system.

The cost-benefit ratio of the project based upon a comparison of total benefits to total costs at 100 years and 3¼ percent interest is 1.72 to 1. The benefit-cost ratio based on direct benefits only is 1.47 to 1.

Two provisions of this legislation are of significance and require specific mention at this point. The first provision relates to the treatment of a portion of the irrigation investment as a deferred obligation. The Committee on Interior and Insular Affairs in its report on the legislation takes the position that the "start of construction on the dam and reservoir should not be undertaken until enough lands have been organized into irrigation districts and repayment contracts have been signed with water-user organizations to utilize practically all of the regulatory capability of the reservoir."

The other provision of this legislation requiring specific mention is the committee amendment which authorizes appropriations to the Bureau of Sport Fisheries and Wildlife for subsequent transfer to the Bureau of Reclamation, in an amount equivalent to the nonreimbursable cost of restoration and enhancement of anadromous fish. At the present time, the estimated value of this project feature is $9,082,000. In this project, more than 50 percent of the project costs are attributable to the enhancement of fish and wildlife. The committee took the position that since more than 50 percent of the project costs involved this feature and the major portion of that amount is for the anadromous fish function, it should be funded from sources other than the general Bureau of Reclamation appropriation and particularly so, when construction

funds for the Federal reclamation program are in fact limited. While I support the committee position, I do not want the Bureau of Sport Fisheries and Wildlife to assume in any way that this amendment opens the door for that agency to justify its long sought authority to build dams and reservoirs for fish and wildlife enhancement purposes.

Mr. Speaker, I urge that the rules be suspended and S. 743 be passed.

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

Mr. SAYLOR. I am happy to yield to my colleague from Iowa.

Mr. GROSS. I am looking at paragraph C in the bill on page 5. Will the gentleman explain that language briefly: what this proposes to do and how it operates?

Mr. SAYLOR. Yes. The amount authorized in this bill is $22,740,000 as of January 1969 prices. There is no doubt about it that prices increase and in some places, because of the type of new equipment used, prices decrease in the indexes used by construction firms. This authorizes the increase or decrease in accordance with those indexes used by the construction industry itself.

Mr. GROSS. Is this something new, or has it been used before?

Mr. SAYLOR. It is something that has been used in reclamation projects, I believe, for at least the last 10 years, and it is in every bill authorizing a reclamation project since that time.

Mr. GROSS. It is a form of escalation, then?

Mr. SAYLOR. It could be escalation and it could be deescalation. For example, in the old days whereas much of the work of moving earth was done by hand or by shovels, they have now found that there is mobile equipment which all of the contractors now have that can move large yardages at one time. This has caused a reduction in the indexes. The department can take cognizance of this in any contract that they negotiate.

Mr. GROSS. I thank the gentleman for his explanation.

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

Mr. JOHNSON of California. I have no further requests for time.

The SPEAKER pro tempore. The question is on the motion of the gentleman from California that the House suspend the rules and pass the bill S. 743, as amended.

The question was taken; and (two-thirds having voted in favor thereof) the rules were suspended and the bill, as amended, was passed.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBERS OF COMMISSION ON POPULATION GROWTH AND THE AMERICAN FUTURE

The SPEAKER. Pursuant to the provisions of section 2(a), Public Law 91-213, the Chair appoints as members of the Commission on Population Growth and the American Future the following Members on the part of the House: Mr. BLATNIK and Mr. ERLENBORN.

PERSONAL EXPLANATION

Mr. DEL CLAWSON. Mr. Speaker, I would like to state for the RECORD that on rollcall No. 49 I was at the White House on official business. I would like the RECORD to show that, had I been present, I would have voted "yea."

DANGERS OF DEFOLIATION CAMPAIGN IN VIETNAM

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

Mr. McCARTHY. Mr. Speaker, the New York Times carried an article yesterday concerning the defoliation campaign that we are carrying out in Vietnam. I was deeply disturbed to read reporter Ralph Blumenthal's reports of damage to newborn and unborn children that may have resulted from our spraying operations. Mrs. Tran Thi Tien, Mrs. Nguyen Thi Hai, and Mrs. Tong Ti An, of the village of Tanhiep, report that they have children that are malformed as a result of the jettisoning of 1,000 gallons of defoliants on the village in December 1968.

Mr. Blumental's detailed report adds weight to the already disturbing reports that came out last fall concerning possible damage to the unborn or newly born in Vietnam. Saigon newspapers carried reports of genetic damage as a result of U.S. defoliation spraying last June. The newspapers carrying these reports were shut down by the Saigon government but not before the articles were seen by a number of Southeast Asia experts and the information began to filter back to the United States by word of mouth. I assume that our USIA and State Department personnel in Saigon also read these reports. As far as I know, they did not take steps to alert responsible authorities in the United States to the problem.

In late October 1969, Dr. Lee DuBridge announced that, on the basis of studies performed by the Bionetics Laboratory for the National Cancer Institute indicating that the defoliant 2,4,5–T caused deformities in rat litters, this defoliant would no longer be used in American agriculture or on populated areas in Vietnam. The Department of Defense showed its disregard for this White House spokesman when one of its public information officers said that 2,4,5–T would still be used on enemy training and regroupment centers. The Department of Agriculture followed suit in January when it failed to halt the use of 2,4,5–T in the United States with the comment that it did not always follow the advice of White House spokesmen.

The continued use of defoliants on populated areas in Vietnam without definite knowledge that it will not injure the unborn or the newlyborn opens the United States up to charges of war crimes—war crimes involving genetic damage. To continue spraying with 2,4,5–T in Vietnam where civilians may be exposed shows a callous disregard for innocent human life. In the light of this additional information I call on President Nixon to end the spraying of these potentially dangerous chemicals until we know definitely whether there is any danger of damage to humans from them.

I am including Mr. Blumenthal's article in the RECORD for the information of my colleagues:

[From the New York Times, Mar. 15, 1970]

U.S. SHOWS SIGNS OF CONCERN OVER EFFECT IN VIETNAM OF 9-YEAR DEFOLIATION PROGRAM

(By Ralph Blumenthal)

SAIGON, South Vietnam.—Many South Vietnamese who live adjacent to areas that are being defoliated by spray from United States planes are convinced that any ailments or misfortunes that they suffer are related to the sprayings.

There is no proof that they are right about the effect of the chemical sprays on the human body, but neither is there any assurance that they are wrong.

Although the defoliation program, organized and run by the United States, has been in operation for nearly nine years the full effect of the chemicals on animal and human life remains largely undetermined.

The United States military command says the program, which is designed to strip plant cover from areas occupied by the enemy and to destroy crops that might yield him food, has covered about 5,000 of South Vietnam's 66,350 square miles.

U.S. TERMS IT VALUABLE

The United States command says the program has proved its military worth. "It has contributed materially to the security of units operating in the field by increasing their visibility from the ground as well as the air," the command said.

About 13 per cent of the program has been directed against crops, presumably food grown by and for the enemy. Because of the drifting of defoliants and the difficulty of assessing the results on the ground, it is virtually impossible to say how much of the crop has been destroyed by the chemicals, but it would not appear to be a significant part of the country's capacity. It has brought hardships, however, to individual farmers.

After years of assuring the South Vietnamese that this extensive spraying was harmless to animals and humans, United States officials are showing signs of concern over recent reports that the chemical sprays may have some little-understood and alarming effects.

PANEL STUDYING EFFECTS

In the last several months, reportedly on instruction from Washington, the United States military command and the United States Embassy have formed a special committee to review the effects of the defoliation program, especially on humans.

The sensitivity of the issue has foreclosed official comment, but according to informed sources the science advisory office of the command is responsible for gathering data in interviews and tests that embassy officials will then evaluate.

The South Vietnamese Government regards the entire subject as taboo. Vietnamese newspapers have been suspended for publishing articles about birth defects allegedly attributed to the defoliants, and the Public Health Ministry declines to provide any statistics on normal and abnormal births.

However, the concern felt among the Americans is shared by many South Vietnamese scientists, physicians, health officials and villagers interviewed in a three-week survey of the effects of the program.

Officers of the United States command are aware of the allegations of birth defects but they generally discount the reports.

Responsible South Vietnamese scientists and officials say they know virtually nothing about the effects of the chemical sprays.

Saigon's leading maternity hospital, Tudu, from which rumors of an increase of abnormal births emanate periodically, has not even compiled annual reports of statistics for the last three years. Recent monthly figures show an average of about 140 miscarriages and 150 premature births among approximately 2,800 pregnancies, but the hospital is not prepared to say whether this represents an increase and, if so, what the cause might be.

A high Agriculture Ministry official said: "I don't think the Americans would use the chemicals if they were harmful."

He conceded that his ministry had made no tests and asserted that his experts had been unable to get any information about the defoliants from the Defense Ministry, which considers such data secret. The main defoliant compounds and some information about them are available in the United States.

Last Oct. 29, President Nixon's science adviser, Dr. Lee A. Du Bridge, announced that as a result of a study showing that one of the defoliants used, 2, 4, 5-T, had caused an unexpectedly high incidence of fetal deformities in mice and rats, the compound would henceforth be restricted to areas remote from population.

That directive appears to be ambiguous in South Vietnam for military spokesmen assert that 2, 4, 5-T continues to be used only in "enemy staging areas"—by definition populated regions.

DEFOLIANTS WERE CONCEALED

Don That Trinh, Minister of Agriculture from November, 1967 to May, 1968, and for 10 years professor of agronomy at Saigon University, said that while he was minister, the Defense Ministry "would try to conceal the defoliant products from me."

"I did not believe in defoliation," he added.

According to one of the Vietnamese directors of a Government research laboratory in Saigon: "We didn't know anything before the United States started spraying. It was only when we received complaints from the livestock people that we started getting interested." But, he added, there are still no Vietnamese studies.

Even the village of Tanhiep, 20 miles north of Saigon, on which 1,000 gallons of defoliants were jettisoned on Dec. 1, 1968, has not been the object of attention or study.

An American C–123 flying out of Bienhoa air base, Northeast of Saigon, developed engine trouble shortly after takeoff. To lighten the craft, the pilot sprayed the full load of chemicals over Tanhiep and nearby Binhtri in 30 seconds instead of the usual 4 minutes 30 seconds, which spreads the defoliant at the rate of three gallons an acre in unpopulated areas.

The defoliant involved, according to the United States command, was a 50–50 mixture of 2, 4-Dichlorophenoxyacetate, or 2, 4-D, and 2, 4, 5-Trichlorophenoxyacetate, or 2,4, 5-T, in an oil base. It is one of three compounds the military says it uses here, the others being a Dow chemical product called Tordon 101, a mixture of amine salts of 2, 4-D and Picloram, and an arsenic compound of cacodylic acid.

No physicians visited Tanhiep to examine the people after their exposure, which, like eight similar emergency dumpings since 1968—some over unpopulated forests—was not made public by the United States command.

A United States Air Force medical team visited Binhtri shortly after the spraying and, according to American district officials, found the villagers had suffered no ill effects. There was no later inquiry.

Mrs. Tran Thi Tien of Tanhiep, who says she has four normal children, is convinced that the malfunction of her son, who still looks like a newborn at 14 months of age, "must be due to the chemicals I breathed."

Her neighbors, Mrs. Nguyen Thi Hai and Mrs. Tong Thi An, blame the spraying for the fact that their children, one year and 20 months old respectively, still crawl instead of walk.

Nguyen Van Nhap, a farmer, complains of suffering bouts of fever, sneezing and weakness.

"I was working in the field when the spray came down," Mrs. Tien said through an interpreter. "I felt dizzy, like vomiting and had to stay in bed three or four days."

Many other villagers reported feeling the same sensations as Mrs. Tien, but, except for the two children described as retarded in learning to walk, no other abnormal children were described to visitors at the village of 1,200 residents.

Tran Van Dang, a farmer in neighboring Binhtri, recalled that three days after the spraying two villagers, Tam Ten and Mrs. Hai Mua, died after suffering respiratory difficulties and trembling. The next day, he said, a third villager, Mrs. Hai Nuc, died after showing similar symptoms. Mrs. Ten was an old man and could have been expected to die soon anyway but the two others, Mr. Dang said, were middle-aged and seemed healthy.

Such complaints are not limited to Tanhiep and Binhtri, where villagers were admittedly exposed to concentrated doses of defoliant—though just how concentrated has not been established.

In Bienhoa city, 10 miles from Tanhiep, any defoliant in the air drifts down from the heavily sprayed battle areas to the north.

Dr. Nguyen Son Cao says he finds a clear correlation between the days when there is spraying and the number of patients who come in with respiratory ailments, mostly sneezing and coughing.

Dr. Cao, who has been practicing in Bienhoa for 21 years, said he had also noticed that in the last two to three years the number of miscarriages among his patients had doubled.

"These women are convinced they are the victims of the chemicals," he said. "I only suspect there could be a relationship. This suspicion is very well known. The increase in miscarriages is very obvious, very significant."

However, the manager of another clinic reported no increase in miscarriage over the last several years.

Any increase in miscarriages has many possible explanations: perhaps the deterioration of the daily diet, the cumulative effect of the hardships of war, population and economic movements that register statistics of only certain groups, or air pollution, of which the defoliant chemicals are a part.

LEGISLATION TO IMPROVE QUALITY OF JUSTICE

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

Mr. McCULLOCH. Mr. Speaker, I am pleased to introduce today legislation recommended by the Nixon administration which will improve the quality of justice available in Federal courts. This bill will modernize procedures for appellate review of rules, regulations and final orders of the Interstate Commerce Commission. Joining me in sponsoring this important measure are Messrs. POFF, MACGREGOR, HUTCHINSON, MCCLORY, SMITH of New York, RAILSBACK, BIESTER, WIGGINS, DENNIS, FISH, COUGHLIN, and MAYNE.

At present, appellate review of orders issued by the Interstate Commerce Commission necessitates empaneling a three-judge Federal district court. This extraordinary procedure, usually reserved for cases of particular public importance involving constitutional or civil rights questions, disrupts the already overcrowded dockets of the Federal courts. While important constitutional or civil rights questions justify the use of this special three-judge court procedure, cases of lesser public significance clearly do not.

Yet, the record shows that appeals involving ICC orders comprise a large percentage of the three judge courts convened each year. For example, in 1969, 64 of the 215, or 30 percent of the three-judge cases heard that year involved review of ICC orders. In 1968 the figures were 51 of 179, or 28 percent. Moreover, this procedure places unneeded burdens on the Supreme Court. Decisions of three-judge Federal courts are appealed directly to the Supreme Court. There, because of the direct appeal involved, the appeal is entitled, as a matter of right, to a merits determination. Many of these cases are not of sufficient public importance to warrant such treatment. Indeed, during the 1967 term, 16 direct appeals involving ICC orders were taken to the Supreme Court. Only two, however, were of sufficient significance to require full briefing and oral argument before decision.

The legislation I am introducing will in large measure solve these problems. The bill makes rules, regulations and final orders of the Interstate Commerce Commission subject to the Judicial Review Act of 1950. Under this act, the administrative decisions of the agency, like several other independent administrative agencies already subject to the act, would be reviewed by the Circuit Court of Appeals for the District of Columbia or the one in which the petitioner resides. With this change, the delay and disruption resulting from the empaneling of three-judge district courts would be eliminated. Further, appellate review by the Supreme Court of judgments of the court of appeals would be by petition for writ of certiorari. With this discretionary tool, the Supreme Court can decline to rule on those cases of insubstantial public importance, leaving it free to devote more time to the increasing number of important cases it hears.

Moreover, additional provisions in the legislation are designed to further streamline appellate review of ICC orders. For example, multiple appeals challenging ICC orders often follow the agency's decision. Under existing law these actions cannot be transferred from different districts and consolidated into one proceeding. Long delay and wasteful duplication of effort results. The bill would solve these problems by requiring consolidation of petitions to review the agency's determination in the circuit court where the first appeal is filed. Also for the first time the bill imposes a time limit—60 days—within which ICC orders can be challenged.

Last, the control of and responsibility for representation of the Government in appellate review of these ICC orders is vested in the Attorney General. Though the ICC will have the absolute right to appear and defend the Commission's order, vesting ultimate control in the Attorney General will, as the Hoover Commission on Organization of the Executive Branch of the Government recommended in 1955, serve the public bet-

ter by eliminating potentially destructive and wasteful intragovernmental dispute.

Mr. Speaker, we are today witnessing a crisis in the courts. Our legal structure is being tested and strained by caseload demands and other pressures which were inconceivable a generation ago. I am happy to say the Nixon administration has responded to this crisis with a broadly based and continuing program of court reorganization and reform. Much of this legislation is before the Congress and deserves action without unnecessary delay. The legislation which I introduced today is an additional part of this much-needed plan for court reform. I urge its prompt consideration and enactment.

SHOCKING RASH OF UNPRECEDENTED BOMBINGS

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

Mr. MINSHALL. Mr. Speaker, as we all know, a shocking rash of unprecedented bombings has swept the Nation. These terrifying anarchist acts are the vital concern of every American. Bombings have occurred in nearly every State in the Union. A courthouse, a city hall, and private homes, have all been victims, and the end is not in sight. Yes, even bomb factories have been found throughout the Nation. Explosive devices of great destructive capacity are easily concealed. I have only to remind the Members of this House that in 1954, we had a shootout from the galleries to my left rear by some misguided persons, who seriously wounded several Members of this House.

I should like to point out that this House could again be an easy target for some anarchist or even the victim of a depraved person, who could secret a powerful explosive device into the House Gallery.

Mr. Speaker, I have reviewed all of the Federal statutory provisions pertaining to explosives, and I fail to find any Federal law which would vitally affect, control, or restrict the distribution or sale of dynamite or other explosives, or require records of such sale to be maintained except under the Federal Explosives Act, which is operative only upon declaration of war or national emergency as a war power. It, of course, is not now operative. It seems the least we can do is to attempt to control and restrict the sale of dynamite and other explosive devices.

Accordingly, I have today introduced legislation to amend the Federal Gun Control Act of 1968 to include explosives. If enacted, my bill would supplement and parallel the Gun Control Act to include all explosives and their ingredients, and would require the seller of such explosives to record the sale by name, age, and residence of such purchases and maintain such records in a manner prescribed by the Secretary of the Treasury. The sale of such explosives would, of course, not be permitted to anyone under indictment, under the influence of narcotics or alcohol, or if there is reasonable grounds to believe that the purchaser is mentally unsound. I am also including an editorial which appeared in the Cleveland Press, March 12, 1970.

I hope the House leadership will take prompt and favorable action on this measure.

The editorial follows:

THE BOMB IS BACK

There must be better arguments for social and political change than dynamite, nitroglycerin and TNT.

Yet the country seems to be rife with fanatics who specialize in stuffing gasoline-soaked rags into bottles and then lighting a match.

The anarchists who carried bombs in their pockets years ago were pikers compared to the new breed of demolition experts.

Consider the explosion that ripped through a Greenwich Village townhouse last week, the bombings this week of a car and a courthouse in Maryland and three more bombings early this morning in New York City.

Four people have been killed in a matter of days—and many others might have been.

One of the victims of the Maryland car explosion was a friend of H. Rap Brown, on trial there for inciting to riot. A note found with the shattered auto summed up the new style of twisted thinking.

"Dynamite," said the note, "is my response to your justice."

Dynamite isn't a response to anything. It simply shows how many sick minds are loose in the land.

Trying to prevent these assaults on life and property is an extremely difficult proposition. A bomb can be planted almost anywhere.

But a judge in New York has opened one possible avenue of protection for the public. Judge Irving Lang refused bail to a man accused of bombing six buildings in Manhattan last year. He said the man's release might endanger the community.

This, of course, is "preventive detention"—a tactic that can too easily be abused by vindictive or unscrupulous judges.

But in this particular case, the refusal of bail seems justified. At a time when blowing things up is a popular pastime, the innocent bystander deserves consideration, too.

EXTENDING VOTING RIGHTS ACT OF 1965

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

Mr. McCLORY. Mr. Speaker, the other body now has acted on extending the Voting Rights Act of 1965, H.R. 4249, and has restored the measure substantially to the form as recommended by the overwhelming majority of the House Judiciary Committee. I am pleased with this result and I hope that the House will recede from its earlier position and will agree to the version regarding voting rights as set forth in the bill which has now been acted upon by the other body. Instead, I note that the vote on final passage was supported by a decisive 64 to 12 vote.

Included in the measure which will now be reported back to the House, is an amendment to authorize 18-year-old voting in Federal, State, and local elections. While 18-year-old voting is the subject of a great many proposed constitutional amendments, it was the decision of the other body that this could be accomplished by legislation. Indeed, this particular amendment was adopted by a decisive 64 to 17 vote and would become effective January 1, 1971.

The basis for this legislative provision is that citizens between the ages of 18 and 21 are protected by the 14th amendment to the Constitution by virtue of "the equal protection of the laws" clause. This provides that the Congress finds that it would deny such equal protection for States to deprive citizens 18, 19, and 20 who are otherwise qualified to vote. It is my understanding that there are approximately 10.5 million young people who are in this category, of whom about 6 million are employed or are employable. Eight hundred thousand of these are in the Armed Forces and over a million are housewives managing their own homes. About 2.5 million are in school—principally in our colleges and universities.

While the argument has been made that a person old enough to fight should also be considered old enough to vote may have its limitations, there would seem to be no reason on the basis of education to deny 18-year-olds the right to vote. Almost all of these young citizens have completed 4 years of high school and all of us who have had an opportunity to discuss current issues with our high school and college youths must agree that they are active students of issues and events with respect to which our elected officials must deal.

Mr. Speaker, whatever form or action the proceedings in the House may take, it is my hope that a clear-cut opportunity will be presented to the Members of the House to vote on the issue of permitting 18-year-olders to vote. May I add that it is my firm belief that these provisions of the Voting Rights Act are constitutional. Nevertheless, between the time of enactment and the effective date of the measure, there would be ample time for determining the constitutionality of this issue.

COMPROMISE BETWEEN THE WHITE HOUSE AND THE CONGRESS ON THE HEW APPROPRIATIONS BILL

(Mrs. MAY asked and was given permission to address the House for 1 minute, to revise and extend her remarks and include extraneous material.)

Mrs. MAY. Mr. Speaker, on March 4, the New York Times carried a two-column headline that said, "House and President Yield to Senate on School Funds." The headline, of course, was inaccurate.

The story underneath, by John W. Finney, makes that plain. There was compromise between the House and the Senate as there always is in cases of difference and there was compromise between the White House and the Congress as there always is in case of difference.

The ability to reach satisfactory compromise is the strength of our system of government.

For the sake of the RECORD let me point out that Mr. Finney was aware of this. He wrote:

The controversy, which began with a Presidential veto threat last December . . . ended

in a compromise. Congress and the Administration split their differences . . .

And then he notes,

As a concession to the Administration the Senate bill also provided that only 98 percent of the appropriations could be spent.

Mr. Speaker, it is my opinion that nobody yielded everything and that everyone yielded something in reaching agreement on the HEW appropriations bill. There was no surrender. The article follows:

HOUSE AND PRESIDENT YIELD TO SENATE ON SCHOOL FUNDS

(By John W. Finney)

WASHINGTON, March 3.—A prolonged confrontation between the White House and the Democratic Congress over domestic spending was resolved today when the House accepted the Senate version of a health and education appropriations bill and the President said he would sign it.

The controversy, which began with a Presidential veto threat last December and centered on the issues of inflation and domestic priorities, ended in a compromise. Congress and the Administration split their differences over how much money to provide the Department of Labor, the Department of Health, Education, and Welfare and the Office of Economic Opportunity.

The House voted 228 to 152, to instruct its conferees to accept the Senate version providing $19.4-billion for the current fiscal year, which began eight months ago. As a concession to the Administration, the Senate bill also provided that only 98 per cent of the appropriations could be spent.

The result of this 2 per cent spending cut is to reduce the total to about $19-billion, bringing it within the range acceptable to the President, who vetoed an earlier $19.7-billion version as inflationary.

Through Republican Congressional leaders who visited the White House, the President relayed word today that he would sign the substitute bill, and the House then acted.

Another battle over school desegregation was avoided when the House accepted the Senate version, which modified two House amendments and eliminated a third. Those amendments had been designed to sanction "freedom of choice" integration plans and to restrict the authority of the Office of Education to require busing of pupils to achieve integration.

The bill is expected to reach the President's desk tomorrow or Thursday. It must still be approved by a House-Senate conference committee and then be formally accepted by the House and Senate.

The anti-integration amendments had been introduced into the bill as a result of a coalition between Republicans and Southern Democrats in the House. But today that coalition fell apart as Republicans, interested in preserving the spending cut, voted with Northern Democrats, interested in nullifying the Southern amendments.

THANKED BY WHITTEN

The only acknowledgement of the fractured coalition came when Representative Gerald R. Ford of Michigan, the minority leader, said he would have preferred the House version of the bill with its amendments. For that statement he was thanked, in the brief debate, by Representatives Jamie L. Whitten, Democrat of Mississippi, the principal author of the antibusing and "freedom of choice" amendments that in recent years have been repeatedly incorporated into House bills and then rejected by the Senate.

Both Democrats and Republicans regarded the outcome of the battle between Congress and the White House as a political standoff.

Representative Carl Albert of Oklahoma, the majority leader, in urging House acceptance of the Senate bill, summed up the first major domestic confrontation betweeen the President and Congress by saying, "There is no victory completely for anybody no defeat completely for anybody."

Congressional Democrats ended up with a bill appropriating some $760-million more than originally proposed by the Administration. The increases go largely for education, health care and hospital construction.

Using the veto weapon, the Administration succeeded in cutting about $700-million from the $1.26-billion in increases for health and education originally voted by Congress.

After the veto in January, the President, as a compromise, agreed to accept $449-million of the Congressional increases. With the 2 per cent spending reduction, the bill, as it finally emerged, still provides $232-million more than the Nixon compromise suggestion.

More important than these specific figures, however, were the political issues both sides felt they had established, to be used in the forthcoming Congressional elections.

Republicans believed the President had succeeded in pinning an inflationary label on the Democrats by attributing inflation to excessive deficit spending by Democratic Administrations and Congresses.

A POINT IS CONCEDED

To a certain extent this point is conceded by the Democrats, who privately acknowledge they were thrown on the defensive when the President used his televised veto of the original bill to raise the inflation issue against a Democratic Congress.

But moderate and liberal Democrats believe that, as a result of the battle they can now return to the electorate as champions of education and health care who are urging that national priorities be changed to give greater emphasis to domestic needs.

Democrats also believe they have found a political counter to the Administration's inflation charge. In political appearances back home, several Congressional Democrats report a favorable response to their argument that, because Congress had cut foreign aid by $1-billion and defense appropriations by $5.6-billion, Democrats were not really being inflationary in advocating a $1-billion increase for education.

"POINTS OF REBELLION" BY JUSTICE WILLIAM O. DOUGLAS

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

Mr. SCOTT. Mr. Speaker, as you know, I have been reviewing the recent book by Justice William O. Douglas entitled "Points of Rebellion" and have come to the last section.

Let me complete the review by quoting some of the text of the section entitled "A Start Toward Reconstructing Our Society."

These are direct quotations:

Our militarism threatens to become more and more the dominant force in our lives. This is an inflammatory issue; and dissent on it will not be stilled.

If history is a guide, the powers-that-be will not respond until there are great crises, for those in power are blind devotees to private enterprise. They accept that degree of socialism implicit in the vast subsidies to the military-industrial complex, but not that type of socialism which maintains public projects for the disemployed and the unemployed alike.

The specter of hunger that stalks the land is likely to ignite people to violent protest.

In one year Texas producers, who constitute 0.2 per cent of the Texas population, received 250 million dollars in subsidies, while the Texas poor, who constitute 28.8 per cent of the Texas population, received 7 million dollars in food assistance.

The local agencies also determine what families are "eligible" for food stamps. Their word is the law, for there are no procedures and no agency or surveillance to make sure that people are not made "ineligible" because of race, creed or ideological views. Retailers who may receive food stamps and turn them into the local bank for cash have prescribed remedies if they are discriminated against. But the faceless, voiceless poor have no such recourse.

The person who must pick those allowed to eat on the limited budget is the principal. The result is that some hungry children go without lunches—80.8 per cent in Virginia, 70.4 per cent in West Virginia, 73.5 per cent in Pennsylvania and 86.8 per cent in Maryland. Overall, the national figures show that at least two out of three needy children do not receive school lunches.

The use of violence as an instrument of persuasion is therefore inviting and seems to the discontented to be the only effective protest.

Racial problems often are the key to a freeway crisis. In Washington, D.C., the pressure from the Establishment was so great on the planners that the natural corridor for the freeway was abandoned and the freeway laid out so it would roar through the Black community. That experience is not unique. Many urban areas have felt the same discrimination. The Blacks—having no voice in the decision—rise up in protest, some reacting violently.

Why should any special interest be allowed to relocate a freeway merely to serve its private purposes?

People march and protest but they are not heard.

In some parts of the world the choice is between peaceful revolution and violent revolution to get rid of an unbearable yoke on the backs of people, either religious, military, or economic.

The welfare program works in reverse by syphoning off billions of dollars to the rich and leaving millions of people hungry and other millions feeling the sting of discrimination.

The special interests that control government use its powers to favor themselves and to perpetuate regimes of oppression, exploitation, and discrimination against the many.

If society is to be responsive to human needs, a vast restructuring of our laws is essential.

The universities should be completely freed from CIA and from Pentagon control, through grants of money or otherwise. Faculties and students should have the basic controls so that the university will be a revolutionary force that helps shape the restructuring of society A university should not be an adjunct of business, nor of the military, nor of government. Its curriculum should teach change, not the status quo. Then, the dialogue between the people and the powers-that-be can start; and it may possibly keep us all from being victims of the corporate state.

George III was the symbol against which our Founders made a revolution now considered bright and glorious. George III had not crossed the seas to fasten a foreign yoke on us. George III and his dynasty had established and nurtured us and all that he did was by no means oppressive. But a vast restructuring of laws and institutions was necessary if the people were to be content.

That restructuring was not forthcoming and there was revolution.

We must realize that today's Establishment is the new George III. Whether it will continue to adhere to his tactics, we do not know. If it does, the redress, honored in tradition, is also revolution.

That revolution—now that the people hold the residual powers of government—need not be a repetition of 1776. It could be a revolution in the nature of an explosive political regeneration. It depends on how wise the Establishment is. If, with its stockpile of arms, it resolves to suppress the dissenters, America will face, I fear, an awful ordeal.

Justice Douglas appears to champion everything that is wrong with the Government.

In my opinion his obsession with criticizing the Government and the free enterprise system renders him incapable of impartially deciding issues coming before the Supreme Court. When the statements in this book are coupled with his other activities and conflicts of interest, it seems to me that we have an obligation to remove him as a Justice of the Supreme Court.

Such a serious course should be carefully charted and I would prefer to join with others in taking the necessary action. However, after further study of procedure and his activities, I expect to institute impeachment individually or in conjunction with others.

A NATIONAL SCHOOL DESEGREGATION POLICY

(Mr. PREYER of North Carolina asked and was given permission to address the House for 1 minute, to revise and extend his remarks and include extraneous material.)

Mr. PREYER of North Carolina. Mr. Speaker, I have today introduced a bill which we believe will make a significant contribution toward the establishment of a national school desegregation policy. The principal draftsman of the bill is Prof. Alexander Bickel, Chancellor Kent professor of law and legal history at Yale University and author of the recently published book, "The Supreme Court and the Idea of Progress."

Our Nation has lost its way in grappling with the toughest moral and political dilemma of our times—how to insure justice for its blacks and tranquility among its races. Race relations in our country are at a turning point, our education system is in deep trouble. There is a climate of indecisiveness; we do not know what to do.

Some think our country is somehow coming apart—that we have come to problems that our system will not resolve.

This situation calls for an initiative from Congress. We are convinced that our system can resolve our problems through the use of creative intelligence, and that the confusion can be ended if Congress enacts a national policy on school desegregation.

Professor Bickel's draft is a careful and thoughtful contribution to such a policy. It is firmly grounded in the effort to redeem the American credo that all men are created equal and the American promise of one nation, indivisible. It recognizes that there is no acceptable future for American society in segregation and that there must be no legal impediment to those seeking to implement a free and open society. But it recognizes that mechanistic programs of racial balance in desegregation are not always the most realistic routes to the achievement of a free and open society, and are often inimical to educational quality.

People closely associated with the problems and opportunities of education in several sections of our country have contributed to the language of this bill. Members from both parties have reviewed early drafts and suggested changes. All of these people have a great interest in building better schools for all our children and in bringing together the sections of our country in a new sense of unity. They have helped to make this a national bill directed toward the resolution of a national problem.

The times call for moral leadership from Congress. Let us debate this sensitive subject with care and good will in the weeks ahead. We invite your attention to this bill in this spirit.

The bill is as follows:

H.R. 16484

A bill to enforce the guarantees of the Fourteenth Amendment with respect to the desegregation of public elementary and secondary schools

Whereas, the Fourteenth Amendment forbids the segregation of children in the public schools solely on the basis of race; and

Whereas, the Congress has the authority and the duty to enforce the Fourteenth Amendment by appropriate legislation; and

Whereas, section 5 of that amendment is a positive grant of legislative power authorizing Congress to exercise its discretion in determining whether and what legislation is needed to secure the guarantees of the Fourteenth Amendment: Now, therefore,

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "National School Desegregation Act of 1970."

SEC. 1. (a) The definitions of the terms "public school" and "school board" contained in section 401, subsections (c) and (d) of the Civil Rights Act of 1964, shall be applicable to this Act.

(b) Segregation is the separation of children of different races in the public school pursuant to provisions of applicable law, or by action of persons exercising administrative authority over the public schools, where such action is intended to achieve the separation of children solely on the basis of race, and has that effect.

SEC. 2. (a) Any student in any public school shall have the right at the beginning of any school year to transfer from a school to which he has been assigned or would in the regular course be assigned, in which his race is in a majority, to a school in which his race is in a minority; provided that the exercise of such right may be postponed for a reasonable period of time while the most rapid feasible effective measures are taken to alleviate conditions of overcrowding in the school to which transfer is requested; and provided that the school to which transfer is requested offers education in the grade equivalent to that from which the student transfers.

(b) Transportation which may be required to effectuate the right of transfer under this section shall be provided at public expense.

(c) Any person or persons alleging that the right established in subsections (a) and (b) of this section has been denied to him or her individually or to a class of which he or she is a member, or the Attorney General, if he has reasonable cause to believe that any person or class of persons have been denied such right, may bring a civil action in the appropriate district court of the United States for equitable relief, including an application for a permanent or temporary injunction, or other order.

(d) In any action commenced under this Section, the court shall allow the moving party or parties, other than the United States, a reasonable attorney's fee as part of the costs, if such party or parties prevail in the action.

SEC. 3. Where there are students of a particular race, color, or national origin concentrated in certain schools or classes, school boards shall ensure that these students are not denied equal educational opportunities by practices which are less favorable for educational advancement than the practices at schools or classes attended primarily by students of any other race, color, or national origin. Examples of disparities between such schools and classes which may constitute a denial of equal educational opportunities include:

(A) comparative overcrowding of classes, facilities, and activities;

(B) assignment of fewer or less qualified teachers and other professional staff;

(C) provision of less adequate curricula and extra curricular activities or less adequate opportunities to take advantage of the available activities and services;

(D) provision of less adequate student services (guidance and counseling, job placement, vocational training, medical services, remedial work);

(E) assigning heavier teaching and other professional assignments to school staff;

(F) maintenance of higher pupil-teacher ratios or lower per pupil expenditures;

(G) provision of facilities (classrooms, libraries, laboratories, cafeterias, athletic and extra curricular facilities), instrumental equipment and supplies, and text books in a comparatively insufficient quantity.

(H) provision of buildings, facilities, instructional equipment and supplies, and text books which, comparatively, are poorly maintained, outdated, temporary or otherwise inadequate.

Sec. 4 (a) All persons exercising administrative authority under the laws of a State or of the United States over public schools have the affirmative duty to eliminate segregation or any other discrimination based solely on race in public schools subject to their authority, and to correct the present effects of past segregation or other discrimination based solely on race.

(b) A public school is organized and administered in compliance with the Constitution and laws of the United States when all persons exercising administrative authority over it—

(1) have in good faith discharged their affirmative duty under subsection (a), provided that the question of good faith shall be treated as a question of fact by courts of the United States adjudicating suits brought under the Constitution or laws of the United States, and by duly authorized officers of the United States implementing title VI of the Civil Rights Act of 1960, and shall be decided by them, having regard to the criteria set forth in this Act; and

(2) have ensured that the school system or systems subject to their authority are unitary school systems, as defined in section 5 of this Act.

SEC. 5. For the purposes of this Act—

(a) The term "unitary school system" means one in which—

(1) the requirements of section 2, subsections (a) and (b) and of section 3 of this Act have been met;

(2) school activities are open to all pupils and faculty and staff, without segregation or any other discrimination based solely on race;

(3) subject to the provisions of section 2 of this Act, each child attends the school nearest its place of residence, or the ratio of

racial minority to racial majority pupil population in each school is within 50 percent to 150 percent of the percentage representing the proportion which the number of students of a minority race bears to the entire pupil enrollment in a system administered by a school board, where the geographical boundaries of the system are themselves not determined on the basis of racial considerations of any sort;

Provided, however, That variances from a policy of assigning each child to the school nearest to his place of residence may be made—

(A) to the extent necessitated by variations in the availability of programs suited to the needs of the child, school capacity, traffic conditions, and other considerations of ease of access;

(B) pursuant to measures put into effect by a school board or other persons exercising authority over public schools under the laws of a State, the District of Columbia, or a territory of the United States, where such measures are intended to achieve better racial balance in the school population, and have that effect; and

(C) pursuant to measures put into effect by a school board or other person exercising authority over public schools under the laws of a State or of the United States, where such measures are intended to prevent the resegregation of a school, and have that effect.

(b) Variances provided for in paragraph (3)(A) of this section shall be lawful only if they result in the assignment of children to public schools or within such schools without regard to their race. Variances provided for in paragraphs (3)(B) and (3)(C) shall be lawful only if they form part of policies pursued in good faith to achieve better racial balance or to prevent resegregation. The question of good faith shall be treated as a question of fact by courts of the United States in the course of adjudicating suits brought under the Constitution or laws of the United States, and by duly authorized officers of the United States implementing title VI of the Civil Rights Act of 1964: *Provided, however,* That school boards or other persons exercising authority over public schools who shall put into effect variances intended to prevent resegregation shall have the burden of proof in showing their good faith intention to do so.

SEC. 6. (a) Any person or persons alleging, or the Attorney General if he has reasonable cause to believe, that any policy or measure, adopted by a school board or other person or persons exercising administrative authority over a school or schools in a system which is otherwise a unitary one, was intended to achieve the separation of children solely on the basis of race, and has had that effect, may bring a civil action in the appropriate United States district court for equitable relief, including an application for a permanent or temporary injunction, or other order. The court shall rescind such policy or measure, and shall order affirmative action to be taken to cure present effects still directly attributable as having been caused by such policy or measure.

(b) In any action commenced under this section, the court shall allow the moving party, other than the United States, a reasonable attorney's fee as part of the costs, if such party or parties prevail in the action.

(c) Any policy or measure found by an officer of the United States duly authorized to implement title VI of the Civil Rights Act of 1964, to give rise to a cause of action under this section, shall be found by him to be a violation of said title VI, even though suit has not been brought in a court of the United States under this section. The violation shall be deemed to have terminated upon application by the school board, or other person responsible, of the remedy that a court would apply under subsection (a) of this section.

MIND POLLUTION

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

Mr. WYLIE. Mr. Speaker, last Wednesday I testified before two members of the Presidential Commission on Obscenity and Pornography named by President Johnson in 1967. This Commission is supposed to make recommendations on the widespread distribution of obscene materials by July 1. These two members of the Commission, Msgr. Morton A. Hill and the Reverend W. C. Link are not very hopeful that this Commission will come up with anything constructive and they are holding hearings on their own.

More than one-half of the Members of Congress have introduced legislation which would deal with this subject. Yet, nothing happens. People are demanding action. An article written by Mr. Roulhac Hamilton, a veteran, able correspondent who is chief of the Dispatch Washington bureau, appeared in the Columbus Dispatch for Sunday, March 15. On Friday, March 13, an editorial appeared in the Columbus Dispatch. The story by Mr. Hamilton and the editorial deserve reading by Members of this Congress.

The articles take Congress to task and, I think, rightfully so for its footdragging in this area. We hear a lot about pollution now and right we should. The problem of mind pollution is most serious and something should be done immediately. The article and editorial are included in my remarks as extraneous material.

[From the Columbus (Ohio) Dispatch, Mar. 15, 1970]

LEGISLATION AGAINST SMUT BOGS DOWN IN CONGRESS

(By Roulhac Hamilton)

It is somewhat more than strange, in view of widespread public and congressional clamor for action, that those who presumably will have the most to do with imposing legal curbs on dissemination of pornography are doing so little.

That there is public outrage throughout the nation over the spreading traffic in filth cannot be doubted by anyone who takes the trouble to make the rounds of Congressional offices and ask for a look at mail received on the subject.

That there also is outrage in Congress is clearly indicated by the fact that more than 200 members—almost equally divided between Republicans and Democrats and representing all areas of the country—have introduced bills aimed at slowing the traffic.

But introduction of bills in Congress means nothing unless Congress passes a bill and it is signed into law by the President. And at the moment, there is no evidence that Congress is going to act, because of inexplicable reluctance of committees to bring legislation to the floor.

This seeming indifference to what the public regards as a pressing problem is not, however, confined to Capitol Hill. It extends to the administration, despite the fact that President Nixon urged Congress in a special message last May, to move. And it seemingly extends even to the special Presidential Commission on Obscenity and Pornography, named by President Johnson in 1967 at the request of a Congress seeking advice on what sort of effective legislation it could constitutionally enact.

This commission, under the leadership of Dean William B. Lockhart of the University of Minnesota, has been conducting a variety of studies, but according to at least two of its members, it has been perverting the purpose for which it was appointed.

As two clerical members of the 17-man commission see it, Lockhart and a majority of the group have diverted its work primarily into a study of the effects of the traffic in obscenity.

Those two, Monsignor Monton A. Hill, of New York and the Rev. W. C. Link, a Baptist minister from Tennessee, point out that the Congressional resolution creating the commission defined its primary duty as that of making recommendations to Congress on the form of legislation which should be enacted to "regulate effectively the flow" of traffic in smut.

So irate have been the two clergymen at the refusal of the commission to delve into the subject through public hearings around the country that they have, at their own expense, journeyed from New York to San Francisco to New Orleans and to Washington to hold hearings on their own. And they plan more of these sessions before the commission files its final report on July 31.

On Capitol Hill, despite the hefty package of legislation proposed by 200 members, there has been foot-dragging, in both the House and Senate judiciary committees. The Senate committee has held no hearings at all. A House subcommittee headed by Rep. Robert W. Kastenmeier, D-Wis., reluctantly held two or three days of hearings after Rep. Chalmers P. Wylie, R-Columbus, had prodded Speaker John W. McCormack into prodding Judiciary Chairman Emanuel Celler, D-N.Y., into prodding the reluctant Kastenmeier into moving.

But beyond the hearings, the subcommittee has done nothing on the subject.

The House Post Office and Civil Service Committee has been a bit more active, but not much more effective. One of its subcommittees did approve, weeks ago, a bill to bar use of the mails for dissemination of smut. But the full committee has yet to act, although the bill was sponsored by its chairman, Thaddeus J. Dulski, D-N.Y.

The administration also has been seemingly indifferent to the matter despite Nixon's urgent message of last June. Atty. Gen. John H. N. Mitchell has given lip service to the matter and, after weeks of delay, did send a couple of underlings to Capitol Hill to discuss the matter with the Kastenmeier subcommittee. There was no suggestion of urgency in their attitudes, which were at best lukewarm.

It could be that some action may come after the Presidential commission reports July 31. But that date is late in a year in which Congress will be desperately attempting to end its session in September in order that its members may go home and campaign.

[From the Columbus (Ohio) Dispatch, Mar. 13, 1970]

SMUT, ANTISOCIAL BEHAVIOR

Four attempts have been made by as many congresses to develop a strategy to control the traffic in obscenity. The most recent was creation of another special commission whose final report is due July 31. We are hopeful a way has been found to dry up the primary source of a social evil.

Unless we do find a way, we can expect a further deterioration of moral and ethical standards along with parallel increase in antisocial behavior.

The new bills in Congress reflect an acute public discontent about obscenity for more than 200 proposals are now before the federal legislature, virtually all designed to curtail the merchandising of smut. And smut is big business, its annual gross estimated at upwards of $2 billion.

One of the criticisms of past obscenity controls is that the laws were at best ambiguous. Needed more than anything else are precise

definitions rather than terms such as obscene, lewd, lascivious, filthy and indecent. Courts, where laws must be tested, demand preciseness.

At the moment, the basic standard on what is obscene is the result of U.S. Supreme Court decisions with regard to the First Amendment. Three elements are involved in determining what is obscene; it must appeal to prurient interest, be patently offensive to contemporary standards and be utterly without redeeming social value. In addition, the high tribunal has ruled materials can be censored if offered for sale to minors.

Yet there are huge gaps in law enforcement. The Post Office Department received 128,140 complaints of unsolicited obscene mailings in 1965. Since then, the number of complaints has doubled. Five years ago there were fewer than 100 theaters offering "sexploitation" films; today there are more than 500.

And with all this there has been an increase in crime, permissiveness and what Chief Justice Warren Burger considers to be attitudes "wholly out of step with American standards."

It seems incredible that lawwriters cannot come up with legislation assuring protection against the continuing erosion of those standards.

CRIME IN THE DISTRICT OF COLUMBIA

The SPEAKER pro tempore (Mr. HOLIFIELD). Under a previous order of the House the gentleman from Maryland (Mr. HOGAN) is recognized for 60 minutes.

Mr. HOGAN. Mr. Speaker, crime has become a desperate problem in the District of Columbia.

Last year crime in the District jumped to a new high: Homicides were up from 209 to 291. Reported armed robberies leaped from 4,640 to an astounding 7,071. The number of forcible rapes increased from 260 to 326.

The 26-percent increase in forcible rape is particularly disturbing in light of certain related developments.

Through court interpretation, rape is no longer a capital offense in the District of Columbia. As a result, persons accused of rape are automatically subject to the liberal release provisions of the Bail Reform Act of 1966. Under that act, danger to the community may not be considered by the court in setting conditions of pretrial release. Thus, courts in the District of Columbia are virtually powerless to retain in custody a dangerous accused rapist, no matter how evident his guilt may be and no matter how seriously his release will menace the public safety.

With dangerous men at large on pretrial release, only time stands between the people of Washington and an unspeakable tragedy.

Let me develop these thoughts in detail.

The District of Columbia Code provides that—

> Whoever has carnal knowledge of a female forcibly and against her will, or carnally knows and abuses a female child under sixteen years of age, shall be imprisoned for not more than thirty years: *Provided*, That in any case of rape the jury may add to their verdict, if it be guilty, the words "with the death penalty," in which case the punishment shall be death by electrocution: *Provided further*, That if the jury fail to agree as to the punishment the verdict of guilty shall be received and the punishment shall be imprisonment as provided in this section.

In April of 1968, the Supreme Court ruled in *United States* v. *Jackson*, 390 U.S. 570, that the death penalty provision in the Federal Kidnaping Act was unconstitutional because it placed an impermissible burden—the threat of the death penalty—upon the exercise of a defendant's right to a jury trial and tended to coerce a defendant either to plead guilty or be tried without a jury. Inasmuch as the death penalty provision for rape in the District of Columbia is equivalent to the death penalty provision for kidnaping, the Federal Government has conceded the invalidity of the death penalty clause. As a consequence, the maximum penalty which may now be imposed for rape is imprisonment for 30 years. The omnibus crime bill approved by the House District Committee includes my amendment authorizing imprisonment of convicted rapists for any term of years or for life.

Even if this change becomes law, however, rape will remain a noncapital offense in the District of Columbia; and defendants accused of rape will continue to be subject to the liberal release provisions of the Bail Reform Act of 1966. That act provides, in 18 U.S.C. 3146, that any person charged with an offense, other than an offense punished by death, shall be ordered released pending trial on his personal recognizance or upon the execution of an unsecured appearance bond in an amount specified by a judicial officer, unless the officer determines that such a release will not reasonably assure the appearance of the person as required. Only as a last resort may financial conditions be set to discourage flight.

The language of the act implies and the courts have held, the danger to the community may not be considered in setting conditions of pretrial release. For example, in *United States* v. *Leathers*, 412 F. 2d 169, 170–117 (D.C. Cir. 1969), the Court of Appeals said:

> The Bail Reform Act specifies mandatorily that conditions of pretrial release be set for defendants accused of noncapital offenses. When imposing these conditions, the sole concern of the judicial officer charged with this duty is in establishing the minimal conditions which will "reasonably assure the appearance of the person for trial. . . ." The structure of the Act and its legislative history make it clear that in noncapital cases pretrial detention cannot be premised upon an assessment of danger to the public should the accused be released.

The upshot of all this is that courts in the District of Columbia are precluded from setting conditions that will effectively assure the pretrial custody of dangerous noncapital offenders. Under the Bail Reform Act, courts in the District are virtually powerless to hold a dangerous accused rapist, regardless of the threat he poses to society.

Unfortunately, it is not difficult to illustrate the immense hazards which exist in the present law. All that is needed to place two tragic incidents from the Midwest in the context of the District of Columbia.

CASE I: THOMAS D. JANES

In August 1967, a 17-year-old Milwaukee girl was kidnaped and raped. According to news reports, the girl was seized in her home by a 26-year-old man, bound and gagged, placed in the trunk of the man's car, and then driven to a suburb where she was sexually attacked.

When the man, Thomas D. Janes, was apprehended, he was brought before a county judge who set bail at $25,000, saying, "A man like this cannot be free on the streets."

Later, at the request of the defendant's attorney, a circuit judge reduced the bail to $2,500, allowing Janes to go free. Not long afterward, the same defendant abducted a teenage boy and girl at knife point with the apparent intention of repeating his first crime. The boy was slashed and stabbed with a 5-inch hunting knife. Although the boy was hospitalized with stab wounds, the couple was lucky to escape alive.

Had this incident occurred in Washington, the defendant would have been set free, not as a matter of judicial discretion but as a matter of statutory law. Something is terribly wrong when a man like Janes must necessarily be set loose so that he can commit new crimes. Something is terribly wrong when Congress requires courts in the District to pretend that dangerous men like Janes will behave in public like innocent cherubs.

I insert at this point in the RECORD documents relating to the case of Thomas D. Janes:

[From the Milwaukee Journal, Oct. 30, 1967]

YOUTH, GIRL ABDUCTED ESCAPE AFTER STRUGGLE

A West Milwaukee high school football player and his girl friend were abducted at knife point in Greenwood Sunday by a man awaiting trial on earlier charges of rape and kidnapping, police said.

The suspect forced his victims to drive to Racine county where the youth, Randall L. Scudder, 17, of 1241 S. 44th Street, struggled with the man while the girl, Barbara Lemke, 15, daughter of Mr. and Mrs. Herman Lemke, 1626 S. 57th Street, West Allis, escaped.

Scudder was stabbed and slashed with a hunting knife with a four to five inch blade. He managed to break free and run.

The suspect was caught about two hours later when he returned to his car near the abduction site, police said.

Authorities said they would seek new charges against the suspected abductor. He had been free on bail set in a case involving the alleged kidnapping and rape of a 17-year-old Milwaukee girl Aug. 29.

In that case, police said, the suspect took the girl from her home, bound and gagged her, placed her in the trunk of his car and drove her to a suburb, where he allegedly attacked her.

YOUTH OUT OF HOSPITAL

Scudder, son of Mr. and Mrs. Ted R. Scudder, 1241 44th Street, West Milwaukee, was released from St. Luke's Hospital, Racine, after treatment for slashes, two stab wounds in the chest and one in the back. The youth, co-captain of the football team, plays left end. He is a senior. His father is a printer for the Journal Company.

Doctors said Scudder would have to stay in bed at least a week.

"'He really saved my life," Miss Lemke said, referring to Scudder. "I'm pretty proud of him. I could have been hurt worse." She was treated at St. Luke's for a small cut, suf-

fered when she and Scudder made their escape.

"I figured I would try to save my life and hers," Scudder said. "I thought something a lot worse might happen."

FAMILY GIVES ACCOUNT

The Scudder family and Miss Lemke, also a student at West Milwaukee high, gave this account:

The two teenagers were parked in Scudder's car on Root River Parkway, a block south of W. Forest Home Av., about 11:30 p.m. Saturday when a man shined a flashlight in their faces.

The couple, who had been dating about a month, had been to a dance at the school gymnasium at St. Florian's Catholic Church, 1233 S. 45th Street, West Milwaukee.

Miss Lemke said the man gave the impression of being a policeman. "He asked Randy for his driver's license, then asked how old I was," she said. "After I told him, he told me I was out after curfew." Greendale has an 11 p.m. curfew.

The man then motioned for Scudder to open the rear car door, Miss Lemke said.

KNIFE PUT TO THROAT

"When he got inside," she said, "the man put a knife to my throat and told Randy to start driving; that nothing would happen if we didn't goof.

"Randy kept asking him where he wanted him to drive and the man kept saying, "I haven't made up my mind what I'm going to do; everybody says I'm crazy'."

She said that Scudder told the man: "I'll take you wherever you want to go, or you can take the car—just don't hurt the girl."

Scudder said he slowed the car in Racine county, just north of the Seven Mile rd. on S. 76th Street and told Miss Lemke to jump out.

MEN START STRUGGLING

The man started struggling with Scudder and Miss Lemke. She was cut on the neck but managed to steer the car off the road into a ditch. Then she jumped out and ran.

Scudder grabbed his assailant around the neck and pulled him into the front seat. They rolled out of the car onto the ground. Scudder was stabbed as they struggled on the ground.

Police said Scudder is 6 feet tall and weighs 175 pounds; his assailant, 5 feet 7 and 180 pounds.

WOMAN CALLS POLICE

Scudder broke free and ran. He found Miss Lemke and they began seeking help. No one was home at the first two farmhouses they found.

They ran to a third house.

Seeing no lights, Scudder wrapped Miss Lemke's coat around his head and dived through a patio window.

"When Randy picked up the phone to call police," Miss Lemke said, "the woman who lived there was on the line trying to call home. Randy told her what had happened and she called police."

The woman was Mrs. Rudolph Berlich, whose husband happens to be a longtime friend of Scudder's father.

Meanwhile, police said, the young couple's assailant took Miss Lemke's purse, Scudder's coat and portable radio from Scudder's car and returned to Milwaukee county. Police said they did not know how he got back. They estimated the distance about eight miles.

Greendale police, alerted to the abduction by Racine county authorities, were waiting when the suspect returned to his car on Root River Parkway.

When officials arrested him, they said, his clothing was covered with blood. He had a hunting knife, the coat, purse, and radio in his possession, they said.

Police said the suspect had been free on $5,000 bail. County Judge Christ T. Seraphim had originally set bail at $25,000, but it was later reduced by Circuit Judge Marvin Holz after the suspect's attorney, Arthur Manti, argued that the amount was excessive.

Manti had asked Seraphim to reduce the bail, but Seraphim had told him: "A man like this cannot be free on the streets."

[From the Milwaukee Journal, Oct. 31, 1967]

BAIL SET AT $250,000 FOR KIDNAPING SUSPECT

Bail was set at $250,000 Monday for a Cudahy man accused of abducting a teenage couple at knife point.

County Judge Christ T. Seraphim said he set the high bail for the defendant, Thomas D. Janes, 26, of 5805 S. Swift St., to "protect this defendant . . . and society."

The judge said he had set bail at $25,000 in another case in which Janes is charged with the kidnapping and rape of a 17 year old Milwaukee girl Aug. 29, but that it had been lowered to $2,500 by Circuit Judge Marvin Holz.

"This man was then free to commit other crimes," Seraphim said.

[From the Milwaukee Journal, Nov. 8, 1967]

HIGH BAIL JUSTIFIED

To The Journal: This letter is from a disgusted public official. The lowering of bail in the kidnaping and rape case of Thomas D. Janes from $25,000 to $2,500 by Circuit Judge Marvin Holz is just another example of how persons in the upper echelon of our courts have lost contact with the "gut" problems that face public officials on the front lines in our schools, police departments and courts.

It is my hope that the second abduction charge against Janes will make Judge Holz think twice before he overrules a judge in a lower court again. It is fortunate that the two young people recently abducted are alive; however, this is only one example of the result of lenience shown by many judges.

Today it appears that offenders of the law have more rights than the innocent victims. This situation must be corrected soon or the public will lose confidence in the courts. Policemen, teachers and many other public officials are already disgusted with the attitude of many judges.

A change must come soon or the innocent will live in fear.

CASE II: MILTON BROOKINS, JR.

An even more grisly case occurred last summer in St. Louis. Milton Brookins, Jr., a policeman, was identified by seven women as the man who had raped them. The evidence strongly indicated that Brookins was "the phantom rapist," a man who was terrorizing the city and boasting of more than 50 attacks on women. When Brookins was arrested, a criminal court judge told his attorney that bail should be set at $51,000. But another judge intervened, setting bail at $12,000, and Brookins went free. In an editorial published June 5, 1969, the St. Louis Globe-Democrat called Brookins' release a "miscarriage of justice."

Less than a month later, while free on bond, Milton Brookins forced his way into an apartment, attempted to rape two women, slashed their clothing with a knife, and shot one woman in the face at close range.

Because rape is a capital offense in Missouri, the court could have denied bail to Brookins in its sound discretion. It did not. In Washington, however, courts do not have discretion to consider a defendant's potential danger to the community. Thus, in Washington, Milton Brookins would have been set free as a matter of law.

I insert at this point in the RECORD documents relating to the case of Milton Brookins, Jr.:

[From the St. Louis Globe-Democrat, June 5, 1969]

JUSTICE ON TRIAL

The case of the "phantom rapist" has raised serious questions of official procedure which demand a more exact accounting than has been given to date.

Why was Milton Brookins Jr., suspended St. Louis patrolman identified by seven victims of the phantom rapist as the man who had attacked them, released from jail Tuesday on the minimum bond requirement of $12,000?

What miscarriage of justice enabled Brookins to be freed only 13 days after being charged with forcible rape in two warrants?

Another man arrested in the case, Isom Combs Jr., was released only Monday, even though he had been cleared 12 days previously when a 20-year-old coed, who had identified him as the man who had raped her in her West End apartment, withdrew her identification and picked out Brookins as her attacker. Combs had been held since April 29.

Bail for Combs was fixed at $12,500. He simply had no way to raise it, and as long as the identification against him stood he was considered a suspect.

What can explain away the unjust treatment which Combs received? He was jailed for 35 days in a case of mistaken identity. During that time he was subjected to extreme abuse and beatings by other inmates, suffering a possible brain concussion, broken nose and punctured ear drums.

As for his being arrested in the first place, there is some doubt that a thorough investigation was made to determine if he was at the scene of the crime with which he was charged. Even after the identification which has put him in jail was withdrawn, nearly two weeks elapsed before his release.

Brookins, meanwhile, was able to be freed on bond of $12,000 set by Circuit Judge J. Casey Walsh, although Judge Richard J. Brown of the Court of Criminal Correction had told Brookins' attorney earlier that bond should be set at $51,000.

In view of the extreme seriousness of the charges Brookins faces, the higher figure should have been required. Justice should be more than a matter of individual administration.

[From the St. Louis Post-Dispatch, June 30, 1969]

Milton Brookins, Jr. was held today in the shooting and attempted rape of a young St. Louis newspaper woman in her apartment in the West End yesterday. Brookins is suspected of being the "phantom rapist" and is free on bond on two rape charges. He is a policeman but has been suspended.

Miss Connie Rosenbaum, a reporter for the Post-Dispatch women's section, was struck on the head with a revolver and shot in the face when resisting a criminal attack. Miss Rosenbaum was reported to be in satisfactory condition at Barnes Hospital. She is 23 years old and is the daughter of Dr. and Mrs. Herbert E. Rosenbaum, 907 South Warson Road, Ladue.

Miss Rosenbaum was entertaining a friend, Miss Rene Flanders, 17, of 62 Chestnut Avenue, Webster Groves, at 4 p.m. when there was a knock on the door. Miss Rosenbaum said a man asked for her by name, then shoved his way in the apartment. Miss Rosenbaum's name is on her mailbox at the apartment, 4924 Buckingham Court.

CLOTHING SLASHED

The intruder displayed a revolver and said he intended to rape both women. He drew a knife and slashed their clothing. Cutting the cord from an electric appliance, he started to tie Miss Rosenbaum's hands.

The intended victim screamed and fought the assailant, who struck her on the head

repeatedly with his revolver. He then shot her in the face at close range. The assailant fled after stealing $24 and a ring from Miss Rosenbaum's purse.

Except for cutting her clothing, the assailant did not harm Miss Flanders.

The man, who wore leather gloves, was seen by Harry Glass, the apartment house maintenance man. Glass heard the shot and screams and described the assailant and the automobile in which he fled.

Brookins, who was at liberty on $24,000 bond on an indictment charging him with two counts of rape, was arrested at his home, 1912 Red Maple Walk, La Clede Town.

Warrants issued by the circuit attorney today charged Brookins with assault with intent to ravish, assault with intent to kill and armed robbery.

Police reported that Miss Flanders and Glass identified the prisoner in a line-up. Miss Rosenbaum identified a photograph of Brookins and will view the prisoner when her condition permits. Lawyer Daniel P. Reardon, Jr., representing Brookins, was present during the identifications.

The self-styled "phantom rapist" left insulting notes to policemen boasting of more than 50 attacks on women, mostly in West End apartment. Brookins was indicted by the Circuit Court grand jury in two of the attacks. He was booked yesterday as suspected of assault with intent to kill, robbery and attempted rape.

Isom Combs, Jr., a yard man employed at Washington University, was identified by a student as the man who had raped her. After Brookins was arrested, the woman changed her mind and picked Brookins out of a line-up. Combs was released.

Brookins was released from jail June 3 on the $12,000 bond set by Circuit Judge J. Casey Walsh. Earlier, Judge Richard J. Brown of the Court of Criminal Correction told a lawyer representing Brookins that bond of $51,000 would be required. The lawyer went to Judge Walsh, who was quoted as saying there were only two rape charges before the court, and that $5,000 on each charge was common practice.

The bond was raised to $24,000 by Judge Walsh on Wednesday, when Brookins was arraigned on the indictment. The earlier bond, signed by the defendant's parents, was on warrants.

[From the St. Louis Globe-Democrat, July 1, 1969]

LOW FELONY BONDS DON'T PROTECT PUBLIC

Milton Brookins Jr., the suspended St. Louis policeman accused as the "phantom rapist," is now charged with new crimes, an atrocious beating and shooting, and the attempted rape of two young St. Louis women.

We warned on June 14 that Brookins should never have been released on a low bond of $12,000 by Circuit Judge J. Casey Walsh. When the bond was raised to $24,000 after a grand jury indicted him on two counts of rape and one of auto theft, this was still too low.

Seven women have identified him as the man who raped them. Two have signed warrants against him.

And now he is alleged to have brutally beaten and shot a young St. Louis newspaperwoman in an attempt to rape her and a 17-year-old girl, after forcing his way into the newspaperwoman's apartment.

The courageous woman reporter fought her assailant even though he struck her repeatedly on the head with his pistol and then shot her in the jaw. She was literally covered with her own blood after fighting off her attacker. Now she will require plastic surgery and an extended recuperation from the effects of the beating and bullet wound.

Milton Brookins Jr. is charged with being the man who inflicted this merciless beating and shooting and was identified as the man who said he intended to rape both young women.

As a result he has four new charges: two of assault with intent to ravish with malice, one of assault with intent to kill with malice and one of armed robbery.

A man charged with repeated rapes, attempted rapes, an attempt to kill, armed robbery and auto theft certainly should not be permitted to roam the streets.

Brookins' bond should be set at the absolute maximum on all seven felony charges against him.

If the first bond recommendation made by Criminal Court Judge Richard J. Brown at the time of Brookins' first arraignment had been followed, Brookins might never have left jail. Judge Brown set the bond at $25,000 on each rape charge and $1,000 on the auto theft because he considered this an "aggravated case."

Aggravated it most certainly is.

Judges must start giving far more consideration to the rights of the public to protection from those who are accused of rape and other vicious crimes. And prosecution must be with utmost vigor.

Today we see rapists have almost no fear of the law or the consequences of their acts. This is one reason the crime of rape is being committed far more often than in the past.

In addition to reporting the Saturday night crime in which Brookins is accused, the Monday edition of the Globe carried four separate articles on page 4A telling of five other rapes in the city over the weekend.

The best way to deal with rapists and other felons is to give them a fair and speedy trial.

Brookins should be tried promptly. With seven felony charges against him there should be no shortage of evidence.

[From the St. Louis Post-Dispatch, July 3, 1969]

NOT A CASE FOR BAIL

Without trying to draw general conclusions from a single case, it seems obvious to us that Judge David W. FitzGibbon was fully justified in refusing bail—which, indeed, has not been requested—for Milton Brookins, Jr., the suspended policeman who has been identified in numerous cases of rape and attempted rape. Bail is discretionary in capital cases. Brookins is accused of assault with intent to kill and armed robbery at a time when he was free on bond granted in connection with other charges of rape. Though he has not been found guilty, the circumstances warrant the presumption that he is not a safe person to be at large while awaiting trial. The corollary is that both he and the community are entitled to a prompt, fair and judicious trial.

Mr. Speaker, these two incidents are far from academic. Recently, an 18-year-old Silver Spring girl was kidnaped and slashed three times in the face on Old Georgetown Road. Two weeks ago, four men forced their way into a Northwest Washington apartment, tied and blindfolded a man, and raped his wife. With 326 forcible rapes reported in the District last year, it is perfectly obvious that a Thomas Janes tragedy or a Milton Brookins tragedy can happen here. This is why the omnibus crime bill for the District of Columbia must be passed.

The Congress of the United States has both a moral and legal responsibility for the safety of citizens in the District of Columbia.

Corrective legislation is needed now to permit courts in the District of Columbia to consider danger to the community in setting conditions of pretrial release. Reform legislation is also needed to authorize the limited pretrial custody of dangerous defendants, defendants like Thomas Janes and Milton Brookins whose release would threaten the public safety.

Speedy trials are one answer to crimes committed during pretrial release. The historic court reorganization included in the omnibus crime bill will ease the present backlog and permit the relatively speedy trial of dangerous defendants.

But speedy trials are not the whole answer. Pretrial detention is essential for dangerous defendants like Janes and Brookins, who can and will commit their crimes of violence at any time, day or night. As a matter of record, the last Brookins offense occurred less than 30 days after his release on bond, during the afternoon.

I call upon Congress to pass the omnibus crime bill including the preventive detention provisons.

EMPRISE: CHARGED BY ARIZONA STATE AUDITOR GENERAL

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Arizona (Mr. STEIGER) is recognized for 20 minutes.

Mr. STEIGER of Arizona. Mr. Speaker, in keeping with previous attempts to alert you, my colleagues, to the business methods of Emprise, the Buffalo, N.Y., firm with La Cosa Nostra ties, I call your attention to the following report. This report is a result of an order by the bipartisan, joint, House and Senate Committee of the Arizona State Legislature, known as the Joint Legislative Budget Committee. The order called for a thorough audit of all parimutuel operations in the State. The first audit in our State's history, I might add.

This is the first portion of a two-part report and points out the concern of the auditor general, Ira Osman, that Emprise has been involved in an apparently illegal joint investment with one of the State racing commissioners;

That they have misrepresented the true ownership position of Emprise in the dog tracks and the Tucson horse track known as Tucson Turf Club;

That in the past Emprise failed to disclose the true nature of their concession contract with the Tucson Turf Club;

That an employee of the State tax commission was also employed as the money room manager by the Tucson Turf Club, representing, in Mr. Osman's words, a clear conflict of interest;

The concern of the Securities and Exchange Commission that Emprise had concealed the fact that they were the backers of an individual who made a public stock offering;

And, that Emprise used false income totals to demonstrate to the 29th session of the Arizona Legislature that the dog tracks which they control needed a tax break. These figures that they showed the legislature differed substantially from those reported on their Federal income tax returns for the same corporate entities for the same years.

Mr. Osman also mentions the transfer of funds from the one public corporate entity to one of its wholly controlled corporate entities in the form of a very questionable loan, the amount in this instance was $300,738.

The report includes suggestions for new legislation which you may want to

call to the attention of your State legislatures and racing commissions.

The report is a clarion call to beware of Emprise, a call I hope you will bring to the attention of all appropriate officials in your own States.

The report follows:

AUDITOR GENERAL,
STATE OF ARIZONA,
Phoenix, March 6, 1970.

The Joint Legislative Budget Committee of the Arizona State Legislature:

At a meeting of the Joint Legislative Budget Committee on October 30, 1969, this office was requested to make an audit of all pari-mutual racing facilities in the State. We have been engaged in this examination for approximately four months. While we have received considerable cooperation from the companies being examined, there have also been delays in our receiving vital legal and financial documents pertaining to ownership and controls of racing in Arizona.

Two companies operating racing facilities in Arizona have a fiscal year of August 31. Both of these companies have retained the services, for many years, of independent certified public accountants. These independent auditors have been unable to compete the examinations for the year ended August 31, 1969, due to inadequate information as to ownership and financial controls of these corporations.

This report pertains to problem areas to which the Arizona State Legislature and certain regulatory commissions should give immediate consideration. The following topics are reviewed herein:

Summary of Recommendations.
Tucson Turf Club.
Investment Research of the Southwest, Inc.
Racing Commission—Business Interests.
House Bill #91, Twenty-ninth Legislature of Arizona.
Interstate Transactions.
Examination of Financial Statements.
Arizona Income Tax Returns.

The material included in this report reflects a pattern of interlocking corporate relationships, misleading and inadequate financial reporting, corrosive personal relationships and potential conflicts of interest.

Your particular attention is directed to the short-lived history of Tucson Turf Club during 1967 and 1968.

The continuation of these patterns can only result in the public loss of confidence in all pari-mutuel racing in Arizona.

In the Summary of Recommendations we have stated eleven specific recommendations which require, in my opinion, immediate action by the Legislature, by the Arizona Racing Commission and by the Arizona State Tax Commission.

A separate report will be submitted of financial statements of those companies engaged in horse and dog racing as of June 30, 1969 and August 31, 1969.

IRA OSMAN,
Auditor General.

SUMMARY OF RECOMMENDATIONS

1. All annual financial statements (including balance sheets, with full stock ownership disclosure and income and expense statements) furnished to the Racing Commission by applicants, permittees, concessionaires, management companies and holders of 50% or more of corporate stock of applicant or licensee, should be examined by Certified Public Accountants. Such financial statements should be furnished to the Commission within sixty days after the end of the fiscal year of each entity.

2. All Arizona tax returns filed with the Arizona State Tax Commission by permittees and concessionaires should be audited annually by the State Tax Commission.

3. All investments of permittees in outside business activities must be fully disclosed.

4. The Racing Commission must be empowered (with adequate funding) to conduct thorough financial examinations.

5. Full disclosure must be made, at least annually, of all corporations engaged in pari-mutuel activities, as to stock ownership, stock options and pledging of stock of said companies. The granting of all stock options, the pledging of all stock, and any assignments thereof of all permittees and owners of racing facilities must secure prior written approval of the Racing Commission.

6. Statutes and regulations restricting business transactions of Racing Commission members with pari-mutuel permittees, and officers and employees of permittees should be strictly enforced.

7. All racing meets should be conducted by separately owned permittees and no interlocking directorates should be allowed.

8. Employees of the State of Arizona and all counties and schools in Arizona must not be employees of pari-mutuel companies.

9. All testimony and other information provided to the Racing Commission must be under oath; providing of false and misleading information to the Racing Commission or to the Legislature shall be cause for license revocation.

10. All agreements pertaining to leasing of facilities, concession operations and management contracts must be approved by the Commission prior to the issuance or renewal of a permit.

11. All legal instruments submitted to the Racing Commission must be approved by competent legal counsel of the Commission.

TUCSON TURF CLUB

Tucson Turf Club was incorporated April 18, 1967, for the primary purpose of conducting horse racing at Tucson, Arizona. The Arizona Racing Commission subsequently granted Tucson Turf Club rights to conduct a race meeting in the Fall of 1967 and the Winter of 1968.

In October of 1967, the Company offered to sell to the public, 298,000 shares of common stock at the par value of $1 per share. The "offering circular" was reviewed by the Securities and Exchange Commission and the Company did obtain the sanction of the SEC for this public offering on the basis of information provided.

Tucson Turf Club did conduct a race meeting in the Fall of 1967 and the Winter of 1968. This meeting resulted in a financial loss and there have been no races held by this Company since April of 1968.

The property (land, buildings and other race facilities) was leased by Tucson Turf Club from Emprise Corporation. The public was advised (in the stock sale offering) that "the concessions will be run by a nationally known concessions operator." The public was also advised that "the concessionaire is required to pay to Tucson Turf Club one-half of the net profit from the concessions." The concessionaire was, in fact, Emprise Corporation itself.

We have examined a Concession Agreement between Tucson Turf Club and Emprise Corporation-Concessionaire, filed with the Arizona Racing Commission on August 31, 1967. This Concession Agreement does not stipulate the terms of any concession commission, whether based on profits or sales, which shall be paid to Tucson Turf Club.

We believe that full disclosure was not provided the public in that:

1. The public was not advised that the concessionaire was the same party as the owner of the property.

2. The agreement filed with the Racing Commission makes no provisions as to the concession income to be paid to Tucson Turf Club.

3. Monthly financial statements through March 31, 1968, of Tucson Turf Club furnished to this office do not include any concession income.

In the course of our examination I learned that the employed auditor of Tucson Turf Club was also an employee of the Arizona State Tax Commission. This individual has been employed by the Arizona State Tax Commission from March 17, 1965, through, to my knowledge, March 2, 1970. On March 2, 1970, I interviewed this individual in the Tucson offices of the Arizona State Tax Commission. He advised me that his duties with the Tax Commission was as a sales-tax field auditor. He also advised me that his duties with Tucson Turf Club included "money-room manager," and that he was in charge of office personnel, all accounting records, and all financial reportings of Tucson Turf Club. He was employed by Tucson Turf Club from approximately September, 1967, through April or May of 1968.

In my opinion, this *duplication* of *duties* represents a serious *conflict* of *interests*.

The underwriter of the common stock offering of Tucson Turf Club was named as being Jacob J. Isaacson. With respect to the public stock offering of 298,000 shares, in the underwriting agreement, Mr. Jacob J. Isaacson represented that he would purchase, at $1 per share, from his own funds, shares up to a total of 248,000. Similar representations were made before the Arizona Racing Commission. In a list of stockholders received by the Racing Commission on March 22, 1968, Mr. J. J. Isaacson is listed as a shareholder holding 218,000 shares.

The Securities and Exchange Commission has undertaken an examination of the financial operations of this Company. One of the issues is whether or not these shares of stock (218,000) were acquired by Mr. Isaacson with the usage of his own monies or whether, in fact, these monies were received either from Emprise Corporation or from an officer of Emprise.

At a public meeting before the Racing Commission held on March 2, 1970, Mr. Jeremy Jacobs, President of Emprise Corporation, testified under oath that the monies used by J. J. Isaacson to buy the stock (218,000 shares) was actually loaned to Mr. Isaacson by either Mr. Louis Jacobs (deceased), formerly the president of Emprise Corporation, or by Emprise Corporation. Such testimony was in direct conflict with information supplied to the Arizona Racing Commission in May of 1967 by attorney Lawrence P. D'Antonio, who was representing before the Commission, Emprise Corporation and/or Louis Jacobs. At that time Mr. D'Antonio informed the Commission that the monies used by Isaacson to buy stock in Tucson Turf Club were, in fact, Isaacson's funds and were not in fact supplied by Emprise Corporation.

On September 16, 1968, a company known as Pima Racing Corporation was incorporated in the State of Arizona. Mr. Jacobs advised the Racing Commission in his appearance of March 2, that Pima Racing Corporation is owned by Emprise Corporation. Although the Corporation Commission report of this company has not yet been filed, it is believed from the testimony of Mr. Jacobs on March 2, 1970, that the principal asset of the company is the stock of Tucson Turf Club, formerly represented as being owned by Mr. Isaacson. The consideration paid by Pima Racing Corporation for such stock is not known.

As a result of the foregoing, in our opinion, the Legislature, the Arizona State Tax Commission, the Racing Commission and the Corporation Commission should determine its policies with respect to: (1) employment by pari-mutuel companies of State and County employees; (2) effective procedures in the review of legal instruments filed with the Racing Commission; and (3) more stringent supervision of companies offering corporation stock for sale in the State of Arizona.

Specifically, the following recommendations are made:

1. All concession contracts must be approved by the Racing Commission;

2. All information or testimony given to the Racing Commission must be under oath;

3. Any false or misleading information

given to the Racing Commission shall be grounds for denial or revocation of a racing permit;

4. Each racetrack and each permittee be owned or operated by separate individuals or corporations without interlocking directorates;

5. Complete annual disclosure of ownership of all licensees or permittees, as well as all concession operators. This disclosure must also reveal all stock pledged, if any, as well as all stock options granted;

6. All employees of racing facilities must be fingerprinted.

INVESTMENT RESEARCH OF THE SOUTHWEST, INC.

This corporation was incorporated on November 13, 1964. Among others, one of the incorporators was Mr. Donald Butler, a member of the Arizona Racing Commission. The Annual Report to the Arizona Corporation Commission on December 31, 1964, December 31, 1965, December 31, 1966, December 31, 1967, and December 31, 1968, state that Donald Butler is the Vice President of this corporation, and also that he is a member of the Board of Directors.

The annual Corporation Commission reports at December 31, 1964, and December 31, 1965, state that Mr. C. W. Van Horn is the corporation President and a Board member; the Corporation Commission reports at December 31, 1966, December 31, 1967, and December 31, 1968, state that Donald N. Soldwedel is the President, as well as a Board member.

On December 16, 1964, the Real Estate Department of the State of Arizona received an application for a brokers license wherein Mr. Van Horn, as President of this corporation, was named as the designated broker for Investment Research of the Southwest, Inc. The application names the other officers, including Donald Butler as Vice President and Manager.

On October 5, 1967, the President (Donald N. Soldwedel) of the Company addressed a letter to Mr. David Funk, stating: ". . . that now is the time for you to take the 'ten days' you said you would need to come up with the initial $10,000 on our land syndication here near the Yuma East Interchange . . ."

On December 15, 1967, Mr. C. W. Van Horn submitted his resignation as Director of Investment Research of the Southwest, Inc. The resignation was submitted to Mr. Don Butler, Manager. On February 8, 1968, Mr. Van Horn advised the Real Estate Commissioner of Arizona that he ". . . was no longer associated with Investment Research of the Southwest, Inc. . . ."

On March 5, 1968, Funk's Greyhound Racing Circuit submitted a check in the amount of $10,000 payable to Investment Research of the Southwest, Inc. On October 1, 1968, Greyhound Parks of Arizona, Inc. submitted their check to Investment Research of the Southwest, Inc. in the amount of $5,878.10. Of this amount, $5,000 was treated as an investment and the $878.10 was treated as interest.

On September 5, 1969, Investment Research of the Southwest, Inc., directed a letter to Mr. Albert Funk, describing with some detail the 380 acre land project located near the new U.S. Highway 80 going through Yuma, Arizona. Among other things, the letter states that:

"The total payment due for your 5% share, including principal and interest, is $5,300. For tax purposes, $5,000 represents principal and $300 represents interest.

"We would appreciate your check by October 1st and will keep you advised as to the progress of a master plan on the project."

The letter was signed by Donald Butler.

On October 6, 1969, Greyhound Parks of Arizona, Inc. submitted their check in the amount of $5,300.00 to Investment Research of the Southwest, Inc.

The majority of the stock of Greyhound Parks of Arizona, Inc. is owned by American Greyhound Racing, Inc. The stock ownership of American Greyhound Racing, Inc. has been variously represented (1) as being wholly owned by Emprise Corporation and/or (2) as being 50% or 51% owned by Emprise Corporation.

Through a series of journal entries in the books of Funks' Greyhound Racing Circuit, Greyhound Parks of Arizona, Inc. and American Geryhound Racing, Inc., the entire $20,000 (which excludes interest expense of $1,178.10) is now recorded on the books of American Greyhound Racing, Inc. as an "Investment in Investment Research of the Southwest, Inc." In other words, these cash investments ($20,000) no longer appear (as of August 31, 1969) as investments of either Funks' Greyhound Racing Circuit or Greyhound Parks of Arizona, Inc.

During this entire period of time (from November 13, 1964 through March 2, 1970), Mr. Donald Butler was a member of the Arizona Racing Commission. ARS 5–115(C) provides that "A member of the Commission who . . . directly or indirectly, receives any money, bribe, tip or other thing of value or service from any person connected with racing, is guilty of a felony . . ."

This information should be submitted to proper law enforcement agencies for further consideration.

RACING COMMISSION—BUSINESS INTERESTS

Listed below are a series of payments made by Funks' Greyhound Racing Circuit to Mr. Frank Waitman, a former member of the Arizona Racing Commission, or to a corporation of which he was president (Arizona Mining Supply Corporation). These payments were made while Mr. Waitman was a member of the Commission.

Date of check	Check number	Payable to	Amount
Feb. 25, 1965	2739	Arizona Mining Supply Corp.	$390.00
May 13, 1965	3455	Frank Waitman	6,500.00
June 5, 1965	3788	Arizona Mining Supply Corp.	8,856.81
June 22, 1965	4070	do	550.00
July 20, 1965	4504	do	645.00
Nov. 1, 1965	5472	do	718.11
Apr. 22, 1966	7219	Frank Waitman	1,000.00
May 2, 1966	7399	do	3,100.00
June 1, 1966	7870	do	1,960.00
Total			23,719.92

The files of Funks' Greyhound Racing Circuit do include proper appearing invoices in support of these payments. All indications are that the payments were related to the Prescott Downs Track.

The underlying issue is whether or not ARS5–115(C), which pertains to a member of the Commission obtaining money or other things of value or service, applies to transactions listed herein.

These transactions should be submitted to proper law enforcement agencies for further consideration.

HOUSE BILL NO. 91

The first regular session of the 29th Legislature of the State of Arizona passed House Bill No. 91, which was approved by the Govnor on April 18, 1969. Among other things, this law reduced the amount received by the State from Small County Tracks to "four per cent of all money not to exceed $65,000 handled in the parimutuel pool for each separate racing program operated by the permittee and 6% of all money handled exceeding $65,000." Small counties were defined as those counties having a population of less than 180,000, as shown by the last United States census. The following race tracks are operated in counties of this size:

Amado Greyhound Park.

Yuma Greyhound Park.

Apache Greyhound Park.

Black Canyon Greyhound Park.

During the various Committee hearings for action preceding the passage of the Bill, financial information was presented to the Legislature by race track representatives. We have compared operating profits and losses given to the Legislature with operating profits and losses as reported in the Federal Income Tax returns of these companies. Such comparative figures are reported below:

NET PROFIT OR (LOSS)

	Submitted to legislature	Per income tax return	Difference
Amado Greyhound Park:			
1966	($107,152)	($107,152)	
1967	(177,613)	(177,613)	
1968	(98,421)	(126,158)	$27,737
Yuma Greyhound Park:			
1966	(111,610)	(101,229)	10,381
1967	(165,479)	(223,662)	58,183
1968	(165,915)	(24,975)	140,940
Apache Greyhound Park:			
1966	51,612	76,612	25,000
1967	81,086	104,840	23,754
1968	116,969	116,969	
Black Canyon Greyhound Park, 1967	47,456	65,737	18,281

We believe that the financial information presented to the Legislature (HB #91) was not adequate for the following reasons:

(a) Substantial management fees, consulting fees and interest paid to the owners of the race tracks, and included in operating expenses, are not disclosed.

(b) Investment amounts, as reported, could not be verified by examination of the books and records.

In addition, we believe that representations made to the Legislature as to stock ownership are in conflict with stock ownership representations made by the permittees at other times.

Shortly after passage of this Bill, substantial fees were paid "for legal services performed in connection with House Bill #91, including legislative liaison, preparation of materials, conferences with legislators, and appearance at Committee hearings."

In connection with legislative control of lobbying activities, the Legislature might wish to consider requirements pertaining to reportings of fees paid for lobbying activities.

INTERSTATE TRANSACTIONS

Western Racing, Inc. is a corporation whose stock is publicly held and must file annual financial statements with the Securities and Exchange Commission. The principal activity of the corporation is the conducting of one 63-day race meet each year, in Phoenix, on facilities owned by Greyhound Parks of Arizona, Inc.

Over the years, Western Racing, Inc. has become financially involved with other corporations engaged in racing:

Amado Greyhound Park, Inc., Portland Turf Association, Florida Greyhound Racing, Inc.

AMADO GREYHOUND PARK, INC.

The audited financial statements of Western Racing, Inc., at August 31, 1968, include:

Notes receivable (due from Amado Greyhound Park)	$240,260
Accrued interest	60,478
Total	300,738
Less: valuation reserve	(300,738)
	0

The cumulative effect of these transactions is to increase the operating deficit of Western Racing, Inc. by $300,738. The accumulated deficit of Western Racing, Inc. at August 31, 1968 was $590,403.

As of August 31, 1969, the accounting records of Amado Greyhound show that $315,154 is due to Western Racing, Inc. As of the

same date, the books of Amado Greyhound Park, Inc. reflect an accumulated operating deficit of $788,860. Amado Greyhound Park, Inc. obviously is unable to repay the funds which have been and continue to be loaned by Western Racing, Inc.

PORTLAND TURF ASSOCIATION

Western Racing, Inc. was the owner of approximately 84% of the outstanding stock of the Portland Turf Association located in the State of Oregon. During the operations of Portland Turf Association, considerable debt was incurred to either Sportservice Corporation or Emprise Corporation. As of August 11, 1961, Portland Turf Association owed to Sportservice and/or Emprise, amount in excess of $331,764, excluding any mortgage indebtedness.

Portland Turf Association sold its assets for $1,277,000 on May 15, 1962. As a result of this sale, the closing statement reveals that Emprise Corporation received at least $855,642, towards a mortgage indebtedness of $606,117, as well as partial payment of various other above-mentioned debts owed by Portland Turf Association.

FLORIDA GREYHOUND RACING, INC.

Florida Greyhound Racing, Inc. was incorporated in the State of Florida on December 9, 1958. All stock had been issued to Western Racing, Inc., subject to certain voting trusts. The October 31, 1965 financial statements of Florida Greyhound Racing, Inc. report indebtedness to Emprise of $470,975.

The annual report filed by *Western Racing, Inc.* with the Securities and Exchange Commission as of August 31, 1965, reflects indebtedness of $617,537, in addition to $190,715, in accrued interest, owing to Emprise. Emprise obtained a judgment on November 10, 1965, on the above amount of $617,537, plus interest.

On or about December 15, 1965, the operating assets of Florida Greyhound Racing, Inc. was sold for $2,000,000.00 to Pensacola Greyhound Racing, Inc. As a result of this sale, Emprise Corporation received $1,265,692 in repayment of the above debts, interest and legal fees incurred by Florida Greyhound. Available evidence indicates that additional obligations owing by Portland Turf Association were paid on December 15, 1965, the date of the sale of assets of Florida Greyhound Racing, Inc.

A Voting Trust Agreement dated June 1, 1959, states that Carl T. Johnson was co-trustee of a Voting Trust which held all of the outstanding capital stock of Florida Greyhound Racing, Inc. All outstanding shares were issued to Western Racing, Inc.

We have been supplied with separate and conflicting minutes of a special meeting of the Board of Directors of Florida Greyhound Racing, Inc., held October 23, 1965, pertaining to the sale to Pensacola Greyhound Racing, Inc. One set of minutes states that the president of Florida Greyhound Racing, Inc. was negotiating the sale of the corporation's operating assets in the State of Florida, with Carl T. Johnson, Trustee, for a group who planned to form a corporation. Carl T. Johnson, a member of the Board, was present at the directors' meeting when the sale was discussed and approved by the directors of Florida Greyhound Racing, Inc. (The meeting of October 23, 1965.)

The audited report of the company's financial statements for the year ended October 31, 1965 (dated by the C.P.A.'s December 16, 1965), states that Mr. Carl T. Johnson was the President of the Company.

A second set of minutes of the October 23, 1965 meeting of the Board of Directors of Florida Greyhound Racing, Inc., reveals that David K. Funk, Vice President, was negotiating for the sale of the Corporation's operating assets in the State of Florida, with Carl T. Johnson, acting as Trustee for a group who planned to form a corporation. These minutes state that Carl T. Johnson was absent from the meeting when the sale was approved. (The meeting of October 23, 1965)

Separate and conflicting minutes of a Special Meeting of the Board of Directors of Florida Greyhound Racing, Inc., held in Pensacola, Florida on December 3, 1965 both include a resolution resolving the Funk Greyhound Racing Circuit be paid the amount of $193,876.50 from the proceeds received from the sale of the corporation's assets.

One set of minutes of the December 3, 1965 Board meeting states that the Vice President reported upon negotiations that had been conducted for the cancellation of the management contract between this corporation and Funk Greyhound Racing Circuit.

The other set of minutes (of a special meeting held on the same hour, of the same day, in the same town) indicates that the president reported upon such negotiations.

The State of Florida Corporation Reports and Tax Returns filed by the Company as of July 1, 1965 and July 1, 1966, state that David K. Funk was Vice President of this corporation. David K. Funk was, and is now, a partner of the Funk's Greyhound Racing Circuit.

One set of minutes of the December 3, 1965 Board meeting states that Carl T. Johnson was absent. The other set of minutes (of a special meeting held on the same hour of the same day in the same town) states that Carl T. Johnson was present.

Western Racing, Inc. reported to the Securities and Exchange Commission in February 1966, that: ". . . Florida Greyhound Racing, Inc., a Florida corporation, a wholly owned subsidiary of Western Racing, Inc. was purchased in an arms-length transaction, by Pensacola Greyhound Racing, Inc., a Florida corporation, for a total consideration of $2,000,000 . . ."

This reporting was signed by Darwin Charles Brown, General Attorney.

Funks' Greyhound Racing Circuit is a partnership owned by Albert, Arthur and David K. Funk. The principal income of this partnership is management fees received from Arizona dog tracks. (In 1968 such management fees totalled $342,407.)

In 1967, five years after the sale of Portland Turf Association assets, Funk's Greyhound Racing expensed $8,455 as promotional costs. The actual expenditures were made in 1962 and 1963 in connection with the proposed acquisition of land in the State of Oregon.

In the past, the Legislature and the Commission have had *inadequate* knowledge of the extensive out-of-state financial activities of licensees whose primary function is the operation of pari-mutuel tracks in our State. We believe that the proper authorities in Arizona should at all times have complete knowledge of all such financial operations of those tracks licensed in this State.

EXAMINATION OF FINANCIAL STATEMENTS

Neither the statutes nor the Racing Commission have adequate regulations concerning the examination of financial information presented to the Commission by applicants for racing licenses. We strongly advise that all applicants for permits to conduct racing must file financial statements examined by Certified Public Accountants, and, further, that all permittees and licensees be required to file annual financial statements examined by Certified Public Accountants. Further, the Racing Commission should have the ability, the authority, and the funds to conduct their own examinations of the financial structure of all applicants and licensees.

Licenses should be denied or revoked upon evidence of inadequate financial responsibility.

Permittees should be required to have readily available, at all times, all documents pertaining to stock ownership, mortgages, minutes of stockholders' and board of directors' meetings, leases and concession agreements. These requirements would help assure that adeqaute financial statements could be promptly prepared at all times.

ARIZONA INCOME TAX RETURNS

At the present time we do not have confirmed knowledge as to the extent of audits made by the Arizona Tax Commission of income tax returns filed by entities engaged in pari-mutuel racing in Arizona. The Tax Commission should conduct annual income tax audits of all corporations, partnerships, and individuals conducting pari-mutuel racing in this State.

The Arizona State Tax Commission has not made available to us the income tax returns of companies involved in pari-mutuel racing.

PALMBY ON SOYBEANS

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Illinois (Mr. FINDLEY) is recognized for 20 minutes.

Mr. FINDLEY. Mr. Speaker, on March 2, Assistant Secretary of Agriculture Clarence M. Palmby made a speech in Sioux City, Iowa, in which he called attention to expansion in the commercial market for U.S. soybeans. This expansion represents improvement in dollar returns to farmers for soybeans actually marketed in commercial channels from $2.3 billion for 1968 soybeans to $2.6 billion estimated for the 1969 crop.

On March 5, the gentleman from Montana (Mr. MELCHER) attacked the Assistant Secretary in this Chamber on grounds that 1968 crop returns were actually larger than the estimate for the 1969 crop. In doing so, he cited Department of Agriculture data on "value of production" figures that included that part of the 1968 crop that went into storage under the Government price support program.

That is one way of reckoning returns, and I do not quarrel with it. But when commercial market sales and Government obligations are lumped together in this way, it does testify to the confusion that has grown up around the programs over the years. The fact is that 13 percent of the 1968 soybean crop went into Government storage or into farm storage under Government loan. In effect, it lies there still—without a home in industry, in livestock feeding, or in human stomachs. To my mind, it does not represent real income so much as it represents a borrowing against a future time when these stocks will have to be moved into the market in competition with future crops.

The story is different for the 1969 crop. Disappearance of the large 1969 crop is expected to be right at 100 percent. This would mean a disappearance of 1.1 billion bushels compared with a disappearance of only 946 million bushels from the 1968 crop. Such a sizable 1-year growth in the soybean market, at a time when soybeans were threatening a surplus problem, is a cause for real satisfaction among soybean growers. It is by all means worthy of comment by the Assistant Secretary of Agriculture.

The gentleman from Montana supported his attack on Secretary Palmby with a letter from the Legislative Reference Service of the Library of Congress, challenging the importance of the 1969 loan level as a factor in expanded use of the crop. That letter refers vaguely to increased demand as the real cause.

I agree that the factors creating an increase in demand may be multiple, but it is patently ridiculous to discount price as a key element.

I do not know of any farm product that has a greater variety of competitors that does soybeans, and it is perfectly apparent that competing oils and proteins, both natural and synthetic, have in recent years intruded rapidly into traditional soybean markets. A major factor was price. Now—in 1970—it is apparent that U.S. soybeans have resumed their share of world expansion in oils and protein use. They have survived a serious adjustment period. This is considered good by those of us who regard the market as the natural outlet for farm products, and human use as the natural end. I am sorry that our satisfaction is not more widely shared.

Like Secretary Palmby, I am also pleased with the rise in utilization of corn in the current marketing year, even though the rise was modest. It is reasonable to assume that early announcement of the CCC sales policy is helping in this movement, and I find nothing to contradict this in the assertion from the Legislative Reference Service that demand has increased. This is hardly a point of argument.

Secretary Palmby did not make any mention of it, but he also could well have pointed to the long overdue improvement in the prices farmers have been receiving lately for their meat, milk, and egg production. Best of all, the farmer's share of the consumer's food dollar has increased so that the farmer is finally getting some of the increases in the retail cost of food. It is clear that farmers have been coming into a generally better economic picture when we learn that the index of prices paid by farmers during February was up 13 points from a year ago while the index of prices received by farmers was up 23 points.

The gentleman from Montana may be excused for a bit of verbal "nitpicking." After all, up to a point this can be a healthy influence on the administration. We all need the prod of critics to keep doing a good job. But what he should wish to guard against is the role of being an apologist for the Orville Freeman era.

It was Mr. Freeman who, as Secretary, got soybeans bin deep in trouble. Three years ago, against the protests of many of us, he embarked upon a heavy and unwise program to boost soybean production while demand declined. He called for more planting, permitted planting on diverted acres and, worst of all, boosted the loan rate to an unrealistic level. He asked for lot more beans and got them.

All of this put soybeans in a crisis position when the Nixon administration took office. Secretary Hardin inherited a near disaster. He should be complimented for handling the crisis wisely and smoothly. Loan rate adjustments and CCC sales policies that he ordered saved the day, and enabled this wonder crop to survive this adjustment period.

In saying all this, I would not wish to leave the impression that I was satisfied with 1969 crop income for soybean growers. I wish it had been higher. But at the same time it could have been a lot worse. Certainly, the soybean picture would have been much worse today if the unwise and shortsighted practices of the Freeman era had been continued.

My good colleague from Montana need not take any of the blame for the Freeman years. He was not in Congress when Mr. Freeman ordered trouble for soybeans. Now that he is in Congress he would do well carefully to avoid getting trapped by those still around Washington who were either the architects or the cheerleaders for the Freeman decisions.

SCHWENGEL-KYL COMMUNITY OFFICIALS CONFERENCE

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Iowa (Mr. SCHWENGEL) is recognized for 15 minutes.

Mr. SCHWENGEL. Mr. Speaker, on February 24 and 25, Congressman JOHN KYL and myself sponsored a community officials conference for civic leaders from the First and Fourth Congressional Districts of Iowa.

Over a hundred people attended the conference. Three members of the Cabinet, Robert H. Finch, Secretary of Health, Education and Welfare; Clifford M. Hardin, Secretary of Agriculture; and John A. Volpe, Secretary of Transportation addressed the conference.

Congressman KYL and I were pleased by the exchange of views which took place at the conference. Federal officials learned of the concerns and problems of local government, and local officials gained a better appreciation of the way Federal officials have to manage the program here.

A summary of what took place at the conference has been prepared. I would like to submit it for the RECORD. It is an excellent source of information on the current operation of programs which affect our cities and towns. The summary follows:

SUMMARY OF COMMUNITY OFFICIALS CONFERENCE

Health, Education, and Welfare Secretary Robert Finch, opened the Community Officials Conference held in Washington, D.C., Feb. 24–25. The conference was sponsored by Iowa Congressmen Fred Schwengel and John Kyl—first and fourth congressional districts, respectively, and attended by more than 100 Iowa civic leaders.

Finch emphasized the importance of the local leaders, saying that the thrusts of HEW are dependent upon the ability of the local leaders to insure that the federal programs really reach the human targets aimed at.

The Secretary said the future of federal-state-local relationships was evolving from a layer cake (completely separatist ideal) to a marble cake concept (inter-related levels of cooperation and inter-departmental cooperation). This concept combined with the President's stated policy of "New Federalism" calls for and is producing a revised partnership between the levels of government with the resultant increase in dependency upon the local grass roots leaders. Finch told the representatives that they must constantly work to upgrade their services and to increase their knowledge of the federal opportunities open to communities.

"The practice has been for HEW to act as broker for the cities. Under the policy of "New Federalism," we have surveyed all programs in an effort to most efficiently decentralize to state and local levels of operation and we have and are continuing to work to unify the previously strict boundaries of HUD, HEW, OEO and other organizations with similar programs of grants, aid and assistance," Finch said.

Within the next hundred days, the HEW grant approval capacity of the Washington office will be abolished and reassigned to various regional advisors. The regional advisors will be more aware of, and have a clearer focus on the entire perspective of an area's problems and consequently able to make faster and better decisions on the scene rather than having a bureau more than 1,000 miles away determine issues. Many of the regional advisors will have the authority to make on the scene interdepartmental decisions as well, due to the decentralization process.

Finch said the "New Federalism" would make a significant difference in the next five years, monetarily as well. An extra $50 billion is expected to be channeled toward the alleviation of the problems of the poor, with increasing percentages of the money being channeled to the state and local governments to be handled at those levels toward whatever priorities they may have established in that area.

Concerning social services, the Secretary admitted the inadequacies of the federal government to follow through—especially down to the local level—and added that it was in this area that more and more planning would be passed on to the states and communities through the development of a new partnership with the objectives of utilizing the unlimited resources available.

Environment: "The better we live the more we pollute," Finch said. "Solid waste disposal per individual, per day, runs at approximately 5 lbs. with a projected increase of up to 8 lbs. by 1980."

Finch said that current studies are planning environmental input procedures in conjunction with planning to correct and rehabilitate the already blighted environment. He said the primary burden in environmental rehabilitation would be placed upon those who produce the waste with an increasingly greater emphasis being put upon recovery and reclamation. The initial programs in effect now, for example, the national air quality standards designed to arrest the problems before it is too late and before more drastic and costly measures have to be taken.

Health: The critical crisis encompassing the health problems and inadequacies is the manpower resources shortage.

"The health crisis really centers around manpower—we simply don't have the doctors and other health care personnel to facilitate our hospitals and patients. We're only producing some 100 graduates per year and 40% of the doctors licensed in the 50 states were trained abroad. We're falling farther and farther behind each year in this crucial area of public service. Our medical schools must expand mightly and we must also concentrate on the distribution of doctors especially to the suffering rural areas," Finch said. "At present, only 12% of the doctors are located in the rural areas (pop. 5500 and under) of the nation."

He added that in 1970, 25 new neighborhood community facilities for medical attention would be established with acting payment mechanisms, but the crux of the problem would still be to supply these and other existing facilities with the manpower needed.

Education: HEW is taking hard looks at the elementary and secondary approaches to public education.

"Many of our schools," Finch said, "are turning out functional illiterates. The educational institutions have not taken into consideration the new innovations available and have not compensated for background approach such as TV."

Family assistance: "The developing and emerging family assistance program is complex and has met with some sort of universal disapproval on almost all fronts. But this is the most efficient way, this Admin-

istration believes, to provide welfare support for families and at the same time provide incentives for the poor to work. This is the first time an Administration has come up with a proposal to support the working poor," Finch concluded.

HOWARD A. COHEN, DEPUTY ASSISTANT SECRETARY OF HEALTH, EDUCATION, AND WELFARE FOR WELFARE LEGISLATION ON FAMILY ASSISTANCE PLANNING

"In the last decade the costs of aid to families with dependent children (AFDC) have more than tripled. The caseload has more than doubled," Cohen reflected.

"Even more disturbing is the fact that the proportion of persons on AFDC is growing. In the last 15 years the proportion of children receiving assistance has doubled—from 30 children per 1000 to about 60 per 1000.

"This burgeoning problem combined with the more and more obvious inequities of the former program, prompted the Nixon Administration and HEW advisors to re-evaluate and re-structure a family assistance program," Cohen said.

The serious inequities include regional discrepancy, discrepancy between male and female-headed families, and between poor people who work to help themselves on the one hand and the welfare poor on the other hand. The present AFDC system encourages dependency. The preferential treatment of female-headed families has lead to increased family breakup.

Cohen re-emphasized the President's message delivered to Congress on Welfare, August 11, 1969. The President said he proposed a new approach that will make it more attractive to go to work than to go on welfare, and will establish a nationwide minimum payment to dependent families with children.

The Administration proposed, Family Assistance Program will provide direct Federal payments to all families with children with incomes below stipulated amounts. The principal new group made eligible for cash assistance under the proposal is working poor families headed by males employed full-time. The Administration's proposed system would cover both dependent families—those headed by a female or an employed father, and working poor families—those headed by a full-time employed male.

The basic federal benefit for a family of four would be $1600 per year, $500 per person for the first two family members and $300 for each family member thereafter.

Families of four with earnings up to $3920 per year would be eligible for payments. Families of seven would be eligible up to $5720. All families would be allowed to disregard $720 per year as work-related expenses—transportation, meals, clothing. Benefits would be reduced by 50% as earnings increase above $720 per year.

The basic element of the Administration's Family Assistance Program is the emphasis on work, both a strong work requirement and the provision of incentives throughout the system for training and employment.

All applicants for benefits who are not working are required to register with the Employment Service. Employable recipients must accept training or employment or lose their portion of the family's benefit.

An additional 150,000 training opportunities will be provided along with 75,000 opportunities for upgrading. Child care services will be provided for an additional 450,000 children in families headed by welfare mothers. The day care centers are provided with the idea that plenty of women who need to supplement the family income cannot afford the offsetting child care expenses. Women in training for jobs may utilize the child care facilities when available also.

The estimated cost in the first full year of operations of the proposed Family Assistance Program is $4.4 billion. In order that the present benefit levels not be reduced for families aided under the existing AFDC program, the new system would require the continuation of State benefits equal to the difference between the proposed Federal minimum and a State's present benefit level. Under the new program no recipient receives less and no state pays more.

All states would receive fiscal relief under the proposed program. But the savings would increase in the long run. Sixteen hundred dollars is the basic assistance for a family of four and the aid is scaled up. As the earnings accruing from a steady job or training increase, the recipient earns to the break even point and finally breaks out of the federal dollar donation where he is on his own in society to support himself and his family.

Under the proposed program the savings for the state of Iowa will be some $2.9 million as opposed to the present AFDC program—a savings of $3.9 million as the proposal currently stands in the ways and means committee.

The family assistance program also establishes a minimum income level of $90 per month for the three adult public assistance categories (aid for the blind, disabled, and the aged.) The federal government pays 100% of the first $50; 50% of the next $15 and 25% of the rest. Fiscal relief for state and local governments as a result of this federal minimum for the adult categories is $400 million.

The total cost for training 150,000 persons with upgrading programs for an additional 75,000, and providing child care services for an additional 450,000 children is $623 million.

Under the proposal, all states receive fiscal relief. For a period of five years the federal government will assume a minimum of 10% of the costs that would have been incurred by the states if no change was made in the existing programs. In some states the fiscal relief will be as much as 50% of state costs.

In his revenue sharing message of August 13, the President placed special emphasis on the relationship between revenue sharing and the family assistance program proposal.

The revenue sharing proposal "is integrally related to the national welfare reform. Through these twin approaches, we hope to relieve the fiscal crisis of the hard-pressed state and local governments and to assist millions of Americans out of poverty and into productivity.

MURRAY L. WEIDENBAUM, ASSISTANT SECRETARY FOR ECONOMIC POLICY, TREASURY DEPARTMENT ON REVENUE SHARING

"The state and local governments are making a substantial effort to support their programs, as evidenced by the fact that the states made more than 300 rate increases in the major taxes during the 1960s. But due to the increasing essential expenditures in the areas of welfare, education, health and hospitals, public safety, environmental quality, transportation, and others, the states and cities are caught in a fiscal squeeze. In 1968 state and local revenues across the nation were at the $82.8 billion mark but expenditures were above $102 billion," Weidenbaum told officials.

Inequities in the present system have come to light characterized by the number of individual grant programs nearly tripled between 1963 and 1969, the federal aid outlays were 213 times the 1963 amount, and constant difficulty with overlapping and duplicated programs, red tape and other inefficiencies.

To increase the effectiveness of the growing volume of federal aid, programs were improved and grants consolidated. Under a new proposal, revenue sharing was also suggested, with the purpose "to turn back to the states a greater measuring of responsibility not as a way of avoiding problems, but as a better way of solving problems. This is the ideal of the President's revenue sharing proposal.

The basic idea of revenue sharing is to provide broader and less conditional federal financial aid to state and local governments.

The first quarterly payment of $275 million is in the new budget with $5 billion appropriations estimated for 1976.

All 50 states, their cities, counties and townships will share. The states will receive a per capita (population based) allotment with a small adjustment for tax effort. Allotments will be made to individual local governments based on their share of local revenues raised. Thus it is based on population but also upon the degree of effort to provide social services as evidenced through a community's-state's revenue raising and spending efforts. The only restrictions on the program are reporting and accounting requirements.

The priorities for spending are determined by local or state needs by the respective governing bodies. The allotment will be sent each month directly to the state which will then pass the particular allotments on to the counties and cities.

Data—Population figures will be revised yearly. According to the projected 1971 to 1976 distribution of revenue sharing figures, Iowa will receive $4,180,000 in the first year which will increase to approximately $76,000,000 by 1976. The city governments will receive $505,780 the first year up to $9,196,000 by 1976.

Weidenbaum told officials this was the only feasible alternative to increases in city and county property taxes and the most efficient way to bring city and county governments in to more and more of the total governing process.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT—HUD ASSISTANCE PROGRAMS

Representing the Department of Housing and Urban Development, Mr. Lawrence Goldberger of the Housing Assistance Administration, William McGill with the Renewal Assistance Administration and Leo Morris with the Community Facilities Division spoke to the delegation with reference to their particular areas of assistance. Inter-departmental relations were emphasized with discussions following HUD representatives by Sec. of Ag., Clifford Hardin, Commissioner David Dominick-Federal Water Pollution Control Administration and by Director Douglas Hofe, Bureau of Outdoor Recreation.

Goldberger provided information on the HUD programs providing low cost housing for the elderly.

"It is a fact-of-life that millions of American families cannot afford to buy or rent new or used housing that is reasonably standard condition. Private industry unaided by public subsidy, simply has been unable to provide satisfactory housing, cover operation expenses, and receive a fair profit at the rents low-income families can afford to pay. As a result, these families have been forced to live in substandard conditions in order to afford the other necessities of life."

National concern for "one-third of the Nation ill housed" lead to the passage of the United States Housing Act of 1937—the Act which initiated the public housing program. The federal government, operating through HUD, provides annual contributions or subside to cover the capital cost of housing developed by local housing authorities. Since local authorities must meet only administrative and maintenance expenses, plus payments in lieu of taxes, they may establish rents at levels which low-income families can afford to pay.

Until 1965 most local housing authorities built only new projects using what is now termed the "conventional bid" method. Under this method, the authority bought a site, acted as the developer, employed its own design team and when plans were completed, took competitive bids. The construction contract was then awarded to the lowest responsible bidder. Generally speaking, these projects are easily identified as one drives throughout our cities and villages.

Recent administrative and legislative changes, however, have added several new options to the public housing program. As a result of these changes, the public has begun to realize that the old stereotype about public housing no longer holds true. As was noted in a recent publication, public housing is potentially the most flexible and high powered of housing programs.

Under the alternatives now available, local housing authorities may:

1. Purchase new housing constructed by private developers under "turnkey" procedures;
2. Acquire existing housing which may or may not require rehabilitation;
3. Lease housing from private owners;
4. Enable tenants to achieve homeownership through the performance of routine maintenance;
5. Sell public housing units to tenants;
6. Place public housing under private management; and
7. Arrange leasing-homeownership programs.

The evidence of the attractiveness of public housing is seen in Iowa. At the end of 1968, there were only 17 local housing authorities operating public housing programs in Iowa. One year later, this number more than doubled to 35 and the total number of units increased more than three-fold from 1,197 units to 3,721. Ten of the state's local housing authorities are located in Schwengel's and Kyl's districts. These authorities will have approximately 1200 units under management—90% of them specifically designed for the low-income elderly.

Description of some new approaches:

Under the "turnkey" method of construction, local housing authorities may invite developers with appropriate sites, or site options, to submit proposals to build housing in accordance with their own plans and specifications. Selected developers then enter into contracts of sale with the local authorities for purchase of the completed housing. Because these contracts are backed by a HUD financial commitment "turnkey" developers may obtain their development financing through their regular private lending sources. As under the conventional method, housing authorities will eventually sell long-term bonds to finance the purchase of the completed projects. These bonds are secured by HUD's pledge to make annual contributions in an amount sufficient to cover their annual debt service.

Acceptance of the "turnkey" approach is attributed to the substantial time savings in supplying needed low-rent housing; there has been vigorous support by local builders and the real estate community—a by-product of which has been increased variation in project design; and good sites often not available for public housing under the conventional method have been made available to private developers.

In addition to buying new housing under the "turnkey" method, a local authority may also use the turnkey approach to buy existing structures from private owners. These structures may be in good condition, or they may require rehabilitation which can be undertaken either by local authority employees, or by a private contractor retained by the local authority.

Under the public housing leasing program, HUD provides annual contributions to local authorities so that privately owned dwellings may be leased and made available to low-income families. The difference between what the low-income tenant can afford to pay and the actual costs is made up by the federal contributions.

The leasing of privately owned dwellings has several advantages for a community. It provides virtually "instant" housing; it permits federally subsidized properties to remain on the local tax rolls; it can result in private developers constructing new housing and it can facilitate a program of intensive code enforcement by providing the owner with the means of fixing up his property.

Homeownership is a goal toward which most American families strive. Unfortunately most low-income families are unable to buy their own homes, particularly one that is in standard condition and suitable to their needs.

Local housing authorities can bring ownership within the reach of low-income families in several ways. They can develop a "HOPLIF" project; they can utilize a Leased Home Ownership Program; or they can sell existing public housing dwellings to tenants.

Under the homeownership program for low-income families, originally called "turnkey III" but now known as "HOPLIF" a family living in a home owned by a housing authority may earn ownership of the home by maintaining it in good condition and making monthly payments based on 20% of its income. The monthly payments must cover the family's share of all housing authority operating expenses and reserves, including the budgeted cost of the repairs and maintenance the family is required to provide. However, since the family assumes the responsibility for repair and maintenance, the budgeted amount paid in for this purpose is credited to the family as a homebuyers ownership reserve.

While this equity account is building up, the local authority uses the annual contributions to make payments on the capital debt of the unit. As the capital debt is reduced, the eventual sales price to the resident family is also reduced. When the family's income and assets, including the equity account, are sufficient to enable the family to obtain financing for the remaining capital debt the family may take title to the home.

Under the "HOPLIF" program, the local authority also provides both training and other assistance for potential homebuyers. The training covers such subjects as household budgeting, care of property, and minor household repairs.

A local authority also may purchase and resell to tenants, privately owned housing which is being leased by the authority under this program. HUD annual contributions may be used to permit a deferment of the required down-payment and the elimination or adjustment of interest payments for a temporary period when necessary to avoid undue financial hardship on the part of low-income purchasers.

In addition, local authorities may sell existing low-rent units which are suitable for individual ownership. These sales may be made to any member of a tenant family, as an individual or as a member of a group—thus facilitating sales to a cooperative composed of a group of tenants in a multi-unit structure.

In the 1950's, as a result of the low level of appropriations and the management concepts that prevailed at that time, rural housing efforts did not proceed rapidly. However, this past trend has been greatly reversed and low-rent housing activity in small communities has increased remarkably in recent years. Efforts to improve and speed up the delivery of public housing in rural America presently are underway, and an increasingly larger proportion of the total program will be found in smaller communities.

Although the low-rent public housing program provides more housing for senior citizens than any other housing program, older people are eligible to use the Federal Housing Administrations mortgage insurance programs, the rent supplement program, and the Section 235 and 236 programs, as well as the FHA and Renewal Assistance Administration programs for home modernization and rehabilitation.

HUD Advisor, William McGill, addressed remarks specifically to Urban Renewal assistance. Urban Renewal is geared toward correcting deterioration of the downtown areas—the inner cities.

McGill said there had been some widespread misunderstandings of the nature of the program. It is designed to deal with the social problems accruing from deterioration as well as with the actual physical upgrading. It is not the case he said, that the city has the prerogative to come in and buy homes at will and at the city price. Aside from the just compensation provisions, there is a clause that calls for the replacement in a similar price category of every home removed in urban renewal projects. Communities of less than 50,000 population receive ¾ funding and cities of over 50,000 receive ⅔ funding.

This method has been found to be a more equitable way of distributing the available funds and guards against the better deal being given to larger cities that are comparatively better able to absorb a larger percentage of the total cost of the project.

In applying for urban renewal assistance, the city must first present evidence of having taken a comprehensive look at the needs of the city and the needs that should develop. They must then submit a workable plan for study by HUD.

Renewal programs: A survey is made of the area and a plan developed and approved. The city then acquires property that is too deteriorated or the property usage of the land is obsolete. Urban renewal, as a project, provides loans to property owners to upgrade and meet the need demands of a growing city. Loans of this type allow the property owner to still pay the mortgage and afford the cost of repairs.

Neighborhood development programs: Does all the same things urban renewal does but receives annual funding rather than specific project funding. The annual increment plan enables communities to proceed simultaneously with actual renewal of areas requiring immediate action and with detailed planning and scheduling of subsequent redevelopment, rehabilitation, and public improvements. A contract for a loan or capital grant for the annual increment of a renewal program may cover activities in several contiguous or noncontiguous urban renewal areas. Funding on a two-thirds basis (¾ if the community has a population of 50,000 or under or is located in a designated redevelopment area) is based on the amount of loan and grant funds needed to carry out activities during a 12-month period in an urban renewal area. Relocation assistance and federal relocation payments must be provided for individuals, families and businesses displaced by program activities. Direct federal 3 per cent rehabilitation loans and rehabilitation grants are available to eligible owners and tenants of property in the area.

Code Enforcement Project: A program to help communities restore the stability of neighborhoods and prevent blight by programs of concentrated code enforcement and provision of adequate supporting facilities and services. Grants of up to two-thirds of a program cost for municipalities over 50,000 population and up to ¾ of program costs for municipalities 50,000 or under in population are made for planning, reviewing and administering concentrated code enforcement programs in selected local areas. Eligible project expenses include planning, administration, and public improvements, such as necessary streets, sidewalks, curbs, street lighting, tree planting, and similar improvements. Direct Federal 3 percent rehabilitation loans and rehabilitation grants are available to eligible owners and tenants of property in the area.

The community must have a currently certified workable program for community improvement, must have adopted and be enforcing a comprehensive system of codes that

meet minimum standards, must agree to maintain normal levels of expenditures for code enforcement exclusive of any expenditures required for the project area, must provide relocation assistance to all those displaced by the project activities, and must provide, at local expense, all public facilities that are necessary to accomplish the purpose of the program. Application is made to the HUD regional office serving the municipal area.

Bridge-the-gap programs: At the present it is approximately a 2-year wait for grants to be processed and awarded. These provide interim assistance payments in the form of some funds for temporary improvement of public land as streets etc. while waiting for Urban Renewal to take over. The interim assistance for slum and blighted areas is a short-term, limited type program to help cities and other municipalities, and countries plan and carry out programs to alleviate harmful conditions. Grants are made to assist localities in taking interim actions to alleviate conditions. Generally these are grants of ⅔ to ¾ according to the most recent population figures. Stop-gap aid provides for the cost of planning and carrying out programs which may include: repair of streets, sidewalks, parks, playgrounds, publicly owned utilities and public buildings; demolition of structures determined to be structurally unsound or unfit for human habitation; establishment of temporary public playgrounds on vacant land or cleared lots within the area; and improvement of garage and trash collection, street cleaning, and similar activities. Wherever feasible, HUD will require the employment of otherwise unemployed or underemployed residents of the area in carrying out interim assistance program activities.

Demolition grants: A program to assist communities in clearance of unsound structures. Grants are made to pay up to two thirds of the cost of demolishing structures which, under state or local law, have been determined to be structurally unsound harborages of rats or unfit for human living. The applicant must show that the demolition is proposed on a planned neighborhood basis and will further the overall renewal objectives of the community or will be consistent with a systematic rodent control program being undertaken in the neighborhood. The local governing body must certify that other available legal procedures to secure remedial action by the owners of the structures involved have been exhausted and that demolition by governmental action is required. Relocation assistance and federal relocation payments must be provided for individuals, families, and businesses displaced by the demolition.

McGill said the back log of funded projects awaiting payments is a problem. The funding level is at $1 billion now, with a back log of $2½ billion approved and waiting just in the neighborhood development program alone. McGill said much of the problem was attributed to the fact that cities have greatly underestimated their costs and also been hit by inflation before project is completed . . . Thus the increasing demand for aid to finance projects already begun.

$500 million dollars has been rechanneled to the fund for re-financing these projects. Cities can expect a year to a year and a half wait before region-recommended projects are approved or disapproved at the Federal level. McGill said in the area of demolition grants—the situation was pretty rapid—about a 2 month wait was involved.

HUD, COMMUNITY FACILITIES DIVISION

The Community Facilities Division of HUD has on account with the Treasury Department, some $270 million that program funds may be borrowed against at a 5⅜% interest rate. Morris noted that this was a low rate for the current fiscal year.

The long-term loans, up to 40 years, are made especially for support of water and sewer systems grants. The grants do not have to be for new construction.

All programs sponsored by HUD must be under the local sponsorship of a local public body that will take full responsibility for the functioning and maintenance of the facilities and for the payments to the Federal Department. Morris said, however, that the public body may sublet to private enterprise, although still retaining the ultimate responsibility for the program. The local government will be held responsible to the regional director in turn held responsible to the Department in Washington, D.C.

Morris said, in answer to questions, that there is no competition or comparison between the economic status of different areas. Under the program and the means of distribution of funds—although a poor town in Iowa does not compare to a poor town in Mississippi, for example—funds are still awarded the comparatively "richer" poor town in Iowa as well. Morris also said there was no established priority for sanitary sewers over water pollution control system grants. Both programs are funded. And in the case of minority group centers, Morris said HUD was extremely careful to insure that service was not gerrymandered or that these communities were not cut entirely off.

Public Facilities Program: A program to provide long-term loans to help communities finance the construction of needed public works. Loans for up to 40 years and covering up to 100 percent of the project cost are made for use in financing a variety of public works projects—construction of water and sewage facilities, gas distribution systems, street improvements, public buildings (except schools) recreation facilities, jails, or other public works. Loan aid under this program is available only for those parts of a program not covered by aid provided under other Federal agency programs. Priority is given to applications of smaller communities for assistance in construction of basic public works.

Applicants may be local units of government or State instrumentalities. The political subdivision for which the loan is made must be under 50,000 in population. The population may be up to 150,000 in designated redevelopment areas. Communities near research or development installations of NASA are not subject to population limit. A nonprofit private corporation serving a community under 10,000 population may apply for aid for water and sewer facilities only.

Application is made to the HUD regional office that serves the area in which the facility is located.

Public Works Planning: A program to help communities plan for essential public works and community facilities. Interest-free advances are made to cover the cost of feasibility studies and of preparing engineering and architectural plans for needed public works. This planning aid may be used for all types of public works except public housing. Examples of public works that can qualify are water and sewer systems, public buildings, health facilities, recreational projects and bridges. The planning advance is repayable to HUD when construction of the planned public work begins.

The applicant may be any non-Federal public agency that is legally authorized to plan, finance, and construct the proposed project. Such agencies include States, counties, other political subdivisions, special districts, regional and metropolitan public agencies and Indian tribes.

Application is made to the HUD regional office that serves the area in which the project is to be located.

Public Water and Sewer Facilities: A program to help communities construct water and sewer facilities that are basic to efficient and orderly areawide community growth and development.

Grants are made in amounts of up to 50 percent of land and construction costs for new water and sewer facilities. The facilities must be consistent with a program for a coordinated areawide water and sewer facilities system which is part of the comprehensively planned development of the area.

A grant may be up to 90 percent under certain conditions, for a community that has a population under 10,000.

The applicant may be a city, town, county, Indian tribe, or public agency or instrumentality of one or more states or one or more municipalities established to finance specific capital improvement projects.

Application is made to the HUD regional office that serves the area in which the facility is located.

HUD Neighborhood Facilities: A program to establish multipurpose neighborhood centers offering concerted community, health, recreational, or social services.

Grants covering up to two-thirds of the development cost (three-fourths in designated redevelopment areas) are made to develop facilities to be used for neighborhood health, welfare, educational, cultural, social, recreational, or similar community facility activities. Facilities may be provided by new construction or rehabilitation of existing structures, or both. The facility must be: needed to carry out a program of community service (including a Community Action Program under title II, Economic Opportunity Act of 1964) in the area; consistent with comprehensive planning for the area; and accessible to a significant proportion of the area's low- or moderate-income residents. Relocation assistance and Federal relocation payments must be provided for individual families, and businesses displaced by program activities.

Applicants may be local public bodies, agencies or Indian tribes authorized under State or local law to undertake neighborhood facility projects. A local government agency may contract with a qualified nonprofit organization to own or to operate the facility, but the public body must retain control over the facility's use.

Commissioner David Dominick, Federal Water Pollution Control Administration, told the conference that the environment and what we are going to do about it has become one of the looming and challenging public issues of the day.

"Before time runs out, we must provide an affirmative answer to this question: Can we bring man and nature into basic harmony? We must provide the answer because for the first time in history, the future of the human race is now in question. We must act or face the terrible threat of irreversible catastrophe.

"We must find cures for ecological imbalance. We must halt wanton destruction of the natural elements—our land, our air, our water", Dominick said.

"President Nixon's environmental message to Congress on Feb. 10 presents, I believe, a strong, comprehensive program upon which the American people can found a national crusade to restore and preserve their natural habitat and engender a new quality of life for the land.

"The President's program calls for total mobilization of the nation's resources, scientific, governmental, and human—and to do this he will need state, county and city help. Not just today and tomorrow but next year as well. Have no doubts about it the crusade for environmental quality will be a long one and there is no place in the ranks for faddists, for temporary helpers," Dominick warned.

"Close federal-state-city relationships are essential—indeed imperative—if we are to succeed in cleaning up the environment, or to put it another way, if we as a people are to survive. There must be no quests for primacy as between federal and state roles in pollution control. Too much is at stake.

As you know, fourteen of the thirty-seven points in the President's program concern

water pollution and I am convinced that these fourteen proposals by the President will serve well the vitally important causes of close, working federal state relationships. The President called for a national $10 billion program for construction and modernization of municipal treatment plants, including $4 billion in federal funds.

He proposed establishment of a new environmental Financing Authority to insure that all municipalities would be able, financially, to participate in the program.

"Through these two proposals alone the President moved decisively to strengthen and re-invigorate federal, state, and local government relationships. Certainly, through these proposals, the President has made it clear that the national clean water program will have continuity and that the federal government is committed to stand firmly behind the program.

"I am confident that with full state and local and federal cooperation we will surmount the cost barricade which has impeded execution of effective municipal and industrial pollution abatement programs."

Dominick said this was the first time the Administration had chosen this type of program. Emphasis has been directed toward steps to change the allocation formula and the matching grant program.

In Iowa $12 million is available for water facilities grants under the program. Only one grant of approximately $100,000 had been awarded the state. Dominick said the Administration anticipates the ability to take care of all predicted grants from Iowa this year.

Dominick labeled the water quality standards program a blueprint for victory over water pollution. "It is the first systematic nationwide strategy we have ever had for water quality management," he said.

The standards are designed as effective tools to help clean up America's polluted rivers and lakes. In addition, the standards program provides for the protection of fishing streams and other waters already of high quality.

Under the Water Quality Act of 1965 passed unanimously by Congress, all the states were given the option of preparing water quality standards for their interstate streams, rivers, lakes, and coastal waters or of possibly having the federal government do it for them.

All 50 states elected to draft their own water quality standards, which were, under law, subject to the approval of the Secretary of the Interior. Approvals of the standards by the Secretary are practically complete.

The standards package for a state contains three main elements:

1: The use to be made of a particular stretch of a river, lake, or coastal water, such as swimming, drinking water, industrial use, or a combination of these uses.

2: A scientific determination of the specific characteristics or criteria which will permit the appropriate uses agreed on by the state and the federal government. Limits on such pollutants as bacteria, toxic materials, and taste-and-odor-producing substance in the water are set by the standards.

3: A step-by-step plan for construction by cities and industries of waste-treatment facilities and use of other measures to meet the water quality requirements.

Once standards submitted by a state have been approved by the Secretary of the Interior, they become federal standards as well and are therefore subject to federal enforcement action. However, the initial responsibility for enforcement of standards rests with the states.

Grants for waste treatment works construction are made to states, municipalities or interstate agencies to assist in the construction of waste treatment works, including intercepting and outfall sewers, which are needed to prevent discharge of untreated or inadequately treated sewage or other wastes into any waters.

The Clean Water Restoration Act of 1966 authorized $700,000,000 for fiscal 1969, $1,000,000,000 for fiscal 1970 and $1,250,000,000 for fiscal 1971 for grants for construction of sewage treatment works.

The Federal Water Pollution Control Act, as amended, provides that the first $100,000,000 of funds appropriated for the construction of sewage treatment works shall be allotted among the states as follows: 1) 50% of such sum in the ratio that the population of each state bears to the population of all the states; 2) 50% of such sum in the ratio that relates to the per capita income of each state.

Under the act, sums allotted to a state which are not obligated within six months following the end of the fiscal year for which allotted shall be reallotted to other states having approved projects for which grants have not been made because of lack of funds. Prior to reallotment, these funds may be used to finance supplemental grants for projects where the need for sewage treatment works is attributable, in part, to a federal institution or federal construction activity.

The Act specified that a grant may not exceed 30% of the estimated reasonable cost of construction. The grant may be increased to 40% if the state contributes at least 30% of the cost of all assisted projects and to 50% if the state contributes 25% of the cost and the project is in conformity with enforceable water quality standards. In metropolitan areas the grant may be increased by 10% if the project is in conformity with a comprehensive metropolitan plan. Grantees are required to pay all costs not covered by the federal grant and to assure proper and efficient operation of the treatment works after completion.

The Act authorizes grants to any state or municipality—a municipality defined to mean any city, town, borough, county parish, district, or other public body created by State law and having jurisdiction over disposal of sewage, industrial wastes, or other wastes.

The construction grants program is administered in cooperation with the State Water Pollution Control Agencies. Application forms are obtained from the state agencies which review the completed applications for conformance with state water pollution control plans and establish a priority for grants. Following state action, the applications are sent to the appropriate Federal Water Pollution Control Administration regional office for processing.

Secretary of Agriculture, Clifford Hardin, told the community officials that the present Administration has an extremely high priority for the development of rural America. Rural America being that portion of the population outside the designated metropolitan areas of the nation. The Secretary said rural America constitutes 65 million Americans, better than ⅓ the total U.S. population.

"Sixty percent of the substandard housing and about ½ the nation's poor people live in rural America. Until this Administration, little focus has been on this portion of the country," Hardin said. "Most of the emphasis has been on the cities and their problems."

"The problem of crowding into the metropolitan centers is a critical one. The crux of our problem is to bring about a redistribution of the growth in population and of plants and industry to rural centers."

"The Rural Affairs counsel, combining the secretaries of AG. int. HUD, LABOR, OEO the VP and chaired, by the President, is working to devise means of correcting the problems of rural America and to determine a development program. These interdepartmental meetings and program planning is part of what constitutes the new emerging national policy on rural America. Nothing will have a more far-reaching effect on the future of America, than the products of this program," Hardin emphasized.

The developing programs involve the coordination of some 90 agencies involved—that alone a difficult project. Progress is being made to alleviate some of the problems of rural America, but the initiatives must come from the communities and their leaders."

James V. Smith, FHA Administrator, Department of Agriculture discussed housing, water and sewer system grants and recreational facilities in smaller rural towns.

The programs are designed and granted to towns with populations up to 5500. Smith said that with the establishment of the Rural Affairs Counsel, great strides were being made to assist this portion of America.

The FHA budget was awarded $200 million more to loan this year, an increase over the past fiscal year, which Smith said further demonstrated the extreme concern and interest of both Secretary Hardin and the President for the rural affairs development programs.

"The greatest need in the rural areas is to develop a favorable economic balance in conjunction with water pollution and waste disposal systems and housing. These are the major assets that would encourage the sustainment of the rural areas development and help them to hold their populations."

FHA is not strictly a farm oriented Administration. It provides for home loans and other assistance. In the assessment of priorities, given the budget under a tight money situation, recreation is not as high a priority. Smith said, however, that there will be no reduction of funds on those contracts already entered into.

Smith emphasized that FHA is not a welfare program but is the credit department of the Department of Agriculture.

There is no plan in the immediate future for the funding of golf courses. The administration will consider swimming pools but recreation grants and loans in general, are difficult to obtain.

FHA grants are very small. It is basically a loan program.

The agency's programs provide financial and management assistance to strengthen family farms and rural communities and reduce rural poverty.

Farm ownership loans help family farmers obtain the resources needed to improve their living conditions and farm successfully. These loans are made to buy farms or land to enlarge farms; construct or repair buildings; improve land; develop water, forestry, and fish farming resources; establish recreation and nonfarm enterprises to supplement farm income and refinance debts.

The interest rate is 5% repayment period may not exceed 40 years. (ADD A)

Water and waste disposal system loans and grants for the construction of community systems are made to public bodies and nonprofit organizations.

A borrower's total indebtedness for these loans together with any assistance in the form of a grant, cannot exceed $4,000,000. The maximum term is 40 years. The interest rate cannot exceed five percent. A grant cannot exceed 50% of the development cost.

The projects can serve residents of open country and rural towns of not more than 5500.

Rural housing loans through the FHA are made to farmers and other rural residents including senior citizens who are 62 years of age and over. Loans may also be made to urban residents of low and moderate income who are employed in rural areas, and other urban residents who own buildings sited in rural areas.

Funds may be used to finance dwellings, building sites, and essential farm service buildings. Rural housing loans are made only to applicants who are unable to obtain the credit they need from private lenders.

Rural housing loans may be used to build, improve or repair rural homes and related facilities, farm service buildings, fallout shelters, or to provide water for farmstead

and household use. In addition to major construction, funds are available to modernize homes as well as to enlarge or remodel form service buildings and put in related facilities such as yard fences and driveways.

In cases where buildings are destroyed or damaged by floods, earthquakes, and other natural disasters, loans to repair or replace these buildings can be made at a low interest rate.

To be eligible, an applicant must: (1) own either a farm or nonfarm tract or become the owner of a minimum adequate building site when the loan is closed. (2) be without decent, safe, and sanitary housing or without farm service buildings essential to the success of his farming operations. (3) be unable to finance the needed improvements with his own resources or with credit from other sources. (4) Have sufficient income to pay operating and family living expenses, and meet payments on debts, including the proposed rural housing loan.

However a low- or moderate-income applicant who does not have enough income to meet the full amortized payment on a rural housing loan may qualify for an interest credit to offset a portion of interest on the loan. Also, an applicant whose income is not sufficient to repay a rural housing loan—even with an interest supplement—may be able to qualify for a rural housing loan if a relative or someone else with adequate repayment ability cosigns his note.

(5) Possess the character, ability, and experience to carry out the undertakings and obligations required of him in connection with the rural housing loan.

(6) Have training or farming experience necessary to give reasonable assurance of success whenever the soundness of the loan depends on the farming operations. In certain cases holders of long-term leases on farms may be eligible.

The Farmers Home Administration three-member local county committee determines the eligibility of applicants.

The maximum repayment term is 33 years.

Interest supplement payments: Low- and moderate-income families who do not have sufficient income to meet payments on a loan at the usual rate of interest may qualify for interest credits. The interest credit, however, could not result in an interest rate of less than 1 percent. The actual amount of interest that a low- or moderate-income family will need to pay will depend on its income and the size of the family.

Financial assistance to small towns and rural groups for water systems and waste disposal systems. The FHA makes loans and grants to public bodies and nonprofit organizations primarily serving rural residents to develop domestic water supply systems and waste disposal systems.

Public bodies and corporations not operated for profit which will serve residents of open country and rural towns and villages up to 5,500 population which are not part of any urban area, may receive financial and technical assistance in planning, developing and improving and extending water and waste disposal systems when:

1. they are unable to obtain needed funds from other sources at reasonable rates and terms.

2. the proposed improvements will primarily serve farmers and other rural residents.

3. they have legal capacity to borrow and repay the loan, to pledge security for loans and to operate the facilities or services.

4. they are financially sound and will be effectively organized and managed.

Grants may be made to help finance up to 50% of the development cost of a water or waste disposal system when grants are needed to reduce to a reasonable level the charges the users will pay.

Loans and grant funds may be used to:

Install, repair, improve, or expand rural water supply and distribution systems including water supply reservoirs; pipelines; wells; pumping plants; water filtration and treatment such as chlorination, fluoridation and iron removal.

Purchase a water supply or a water right.

Install, repair, improve, or expand waste collection, treatment, or disposal systems. Facilities to be financed may include such items as sewer lines, treatment plants stabilization ponds.

Pay necessary fees.

Pay other costs related to the improvements, including the acquisition of rights of way and easements, and the relocation of roads and utilities.

A borrower's total indebtedness for these loans together with any assistance in the form of a grant cannot exceed $4,000,000 at any one time.

The maximum term on all loans is 40 years.

The interest rate varies but may not exceed 5%.

Applications for loans and grants are made at the local county offices of the Farmers Home Administration.

Emergency loans are made to eligible farmers in designated areas where natural disasters such as floods and droughts have brought about a temporary need for credit not available from other sources. Loans may be made for the purchase of feed, seed, fertilizer, replacement of equipment, livestock, and for other items needed to maintain normal operations. Loans may not be made to refinance debts or compensate applicants for their losses.

Emergency loans may also be made outside of designated areas to farmers who have been affected by disaster when the disaster affects only one or a few farms.

Loans are scheduled for repayment when income from the crop or livestock financed is normally received. The interest rate is 3%.

Grants are available to help communities which currently are without the resources to pay for the development of official comprehensive water and sewer plans in rural areas. Such plans promote efficient and orderly development of rural communities and provide information necessary to avoid overlapping, duplication, underdesign or overdesign of community water and sewer facilities.

Each farm loan made by the farmers home administration is based on a plan that when followed will provide enough income from the farm and other sources to enable the family to have a reasonable standard of living and make payments when due on their debts.

ASSOCIATE ADMINISTRATOR, LAW ENFORCEMENT ASSISTANCE ADMINISTRATION, DEPARTMENT OF JUSTICE

Richard Velde, Associate Administrator, Law Enforcement Assistance Administration, the Department of Justice, told Iowans that the LEAA has been working to develop a broad approach to the whole gambit of crime and correction.

As an alternative to complete federal control and the semblance of a police state, the LEAA under Title I and the Dirksen Block Grant amendment, devised a means of allocation of funds on the basis of population to assist the states and local government in fighting crime, training police, and studying correction procedures.

This was the nation's first comprehensive anti-crime program created under the Omnibus Crime Control and Safe Streets Act in June 1968.

In the first year of operations ending June 30, 1969, LEAA awarded millions of dollars in grants and began research and development and technical assistance projects to help improve the nation's criminal justice system—police, courts, and corrections.

State and local governments were given primary responsibility under the Act for law enforcement improvements, and they received most of the federal financial aid given by the LEAA.

With the aid of planning grants, detailed programs for state-wide law enforcement improvements were drafted by the 50 states and Washington, D.C. Action grants then were awarded by LEAA and all jurisdictions initiated their specific improvements projects.

A breakdown of how LEAA used its $63 million budget in fiscal year 1969:

Nearly $19 million in planning grants was awarded to the states;

More than $25 million in action grants was granted to the states;

Some $4 million was awarded at LEAA's discretion for a variety of anti-crime projects, including more than $1 million directly to the nation's largest cities;

Some $3 million was devoted to research and development;

And $6.5 million was awarded to finance college studies by law enforcement and criminal justice personnel;

The remainder of the LEAA budget was composed of $3 million for FBI programs and $2.5 million for administration.

Iowa's largest budget item for the fiscal year was for prevention and control of juvenile delinquency.

Under the fiscal 1970 program, $32 million is available to the states for projects Velde said all Iowa cities were eligible.

In the initial establishment of the LEAA program, planning grants to each state were awarded on the basis of $100,000 and an additional amount based upon population figures. All planning funds went to the states in block grants, and they proceeded to make at least 40% available to the local governments.

85% of the total action funds were given to states in block grants—$25 million of the $29 million—and the states made at least 75% available to local governments. LEAA used $4 million for discretionary awards.

Iowa's budget to be supported by the planning and discretionary and action funds called for programs of training for law enforcement personnel, $47,720; prevention and control of juvenile delinquency, $67,820; improvement of detection and apprehension of criminals, $50,803; improvement and prosecution and court activity and law reform, $57,426; increasing the effectiveness of correction and rehabilitation, $21,000; reduction of organized crime, $3,000; prevention and control of riots and civil disorder, $36,675; improvement of community relations, $50,460; research and development, $2,400.

Under the LEAA Academic Assistance program funds are provided for college studies by law enforcement and other criminal justice personnel and for promising students preparing for such careers. During fiscal 1969, a total of $6.5 million was awarded to nearly 500 colleges and universities which administer the aid to individual students—Loans of up to $1800 a year for full-time study, grants of up to $200 per quarter of $300 per semester for full-time or part-time study. Assistance was given to more than 23,000 persons during the second half of the 1968–69 school year and the summer session.

Velde said this assistance was prompted by surveys which showed that of the average law enforcement officers only 9% held college degrees and only 3% of the correction line officers held college degrees. With the participation now of more than 750 colleges, loans and grants are available for pre-career and career study.

Velde said 40 Iowa colleges and universities participate in the program.

LEAA has budgeted $7½ million for research to bring to bear on crime the techniques of advanced technology. For example, Velde cited the sophisticated burglar alarm system research grant of $300,000 for Cedar Rapids. The grants are solely hardware-oriented or for research toward the streamlining of court procedures and correction.

LEAA is also setting up a National Criminal Justice Information and Statistics

services. Working closely with the states, the Service will conduct a nationwide program to obtain statistics on all importanat aspects of the police, courts, and corrections fields.

Late in fiscal 1969, LEAA awarded a $600,000 grant to six states to develop and test the prototype of a computerized criminal justice date system, including standardizd record-keeping on arrests, trials, and dispositions of offenders.

Velde told officials the budget request was being doubled over the past year. Planning grants are expected to cover 90% of the programs; 50% of the construction programs will be funded federally; and 60% of the training will be footed by the federal government. Specially organized riot control forces training will receive 75% funding under the new budget requests. All federal aid for programs is entirely in cash or services and matched by the states and local governments.

Velde said the time element for funding approval was approximately 30 to 45 days at the present time.

BUREAU OF OUTDOOR RECREATION DIRECTOR—BOR

Director G. Douglas Hofe, Bureau of Outdoor Recreation, Department of the Interior explained to Iowa community officials that the Bureau itself was not a land-management agency. Its purpose is to provide leadership in a nationwide effort to meet the increasing demands for recreation opportunities in the outdoors.

The bureau has three main activities through which it accomplishes its purpose:

1. Planning—which identifies necessary action to protect the natural beauty of the outdoors;

2. Coordination of Federal activities relating to outdoor recreation and natural beauty; and

3. Assisting Federal, State, and Local efforts to reclaim and protect the outdoors and providing increasing outdoor recreation opportunities for the American public.

This third function is accomplished through the Land and Water Conservation Fund program. The Land and Water Conservation Fund, as originally set up, was supported by entrance and user fees charged at designated federal areas, proceeds from the sale of surplus federal property, and federal tax on motor boat fuels. In 1968 the Congress amended the land and water conservation fund act to supplement these revenues from offshore mineral lease income up to $200 million a year for the next 5 years.

Once Congress appropriates money into the Fund, Hofe said, it is apportioned by the Sec. of the Interior among the 50 states, Washington, D.C., the trust territories on the basis of a formula which takes several factors into consideration. Two-fifths of the appropriation is apportioned equally among the states and 3/5 is divided according to total population, out-of-state visitor's use, and other federal recreation programs and areas in the State.

Since the start of this program, Iowa has received a total apportionment of slightly in excess of $5.3 million. Over $4.4 million has been committed to 175 state projects.

Hofe said in Schwengel's and Kyl's districts, almost ¾ million dollars from Land and Water Conservation funds are spent on 40 projects. Only 5 of these projects are state sponsored. Hofe concluded that Iowa was well aware of the BOR opportunities and doing a good job.

Currently, Iowa has a Land and Water Conservation fund balance available of $850 thousand for fiscal year 1970.

Hofe explained that Iowa has operated on a system of retaining 50% of the annual apportionment for state sponsored projects and making the remaining 50% available to local units of government. "Under this system each county receives an allocation and some counties may have used their available funds through FY 1970," Hofe said.

In his Environmental Message to the Congress, the President stated, "I propose full funding in fiscal 1971 of the $327 million available through the Land and Water Conservation Fund for additional park and recreation facilities, with increased emphasis on locations that can be easily reached by the people in crowded urban areas."

This is almost double the level of funding for FY 1970. The direction is quite clear; Hofe interrupted. "We're going to bring recreation to the people. It means that a greater emphasis will be placed on projects for the cities."

The Land and Water Conservation Fund Program is designed with the State in the pivotal role. The first step in applying for assistance under the program is to be sure the proposed project is eligible under the Statewide Comprehensive Outdoor Recreation Plan for Iowa.

This Plan is prepared and kept current by the State and approved by the Bureau as an acceptable tool for defining the priority demands and needs for outdoor recreation areas and activities within each region of the State and on an overall statewide basis.

Iowa current Statewide Outdoor Recreation Plan eligibility runs until March 31, 1971. In addition, the State already has studies underway for an updating and revision, so Hofe said he didn't anticipate any problem because of a lapse of eligibility.

Next, the proposed project must be submitted to the State Liaison Officer. This official is appointed by the Governor to administer the program within the State. Everett B. Speaker is the State Liason Officer. His title is Special Projects Coordinator and his office is in the State Office Building in Des Moines. Mr. Fred A. Preewert, Director of the Iowa State Conservation Commission is the alternate State Liaison Officer.

The State Liaison Officer will review the project for technical adequacy and accord with the Plan, give it a priority rating and submit it, with his recommendation for approval funding from his State's apportionment, to the appropriate Regional Office of the Bureau. Depending on the amount of assistance requested, the project is either acted on there or forwarded to the Washington office for further review and approval.

It is important to note that the State Liaison Officer is the focal point of the program. The State has the prerogative to determine which projects are eligible for funding under the Statewide Plan and the order in which funding is to be requested.

It is the State Liaison Officer who is responsible for coordination between the State and the Bureau. All projects for Land and Water Conservation Fund assistance are submitted to and reviewed by this office before they are submitted to the Bureau.

The Land and Water Conservation Fund is divided into State and Federal portions. The Federal share is used to assist Federal agencies in the acquisition of land only. The State share may be used to assist the State and local levels in planning acquisition and development of public outdoor recreation areas and facilities.

The fund provides 50/50 reimbursable matching grants for eligible projects. The money is intended to supplement the amounts spent by States and local governments rather than to replace their expenditures. Because the money in the fund is limited, it is clearly impossible to completely finance a State's entire program of recreation expenditures solely from the Land and Water Conservation Fund. Limited money means that competition between projects is inevitable, so that high quality, well documented projects naturally are most likely to be funded quickly.

Acquisition and development projects for many kinds of outdoor recreation opportunities are eligible to receive matching assistance under the BOR program. However, Hofe emphasized, that projects must be outdoor oriented; the program cannot assist in indoor recreation facilities except to the extent that they may be considered to directly support outdoor recreation activities. This could include bathhouses for swimming pools or comfort stations in picnic areas, but would eliminate indoor community centers.

Any area or facility which receives Land and Water Conservation Fund assistance must be maintained for public outdoor recreation use. Because funds are limited and demands are great, BOR will assist in only basic, as opposed to elaborate facilities. The public's best interests are served by careful consideration of the most economic method which provides the most extensive opportunity. For instance, acquisition of easements may provide the same opportunities for scenic viewing as a more costly acquisition of fee simple title of an area. We urge that any sponsoring agency be extremely careful to consider and thoroughly investigate every possible solution prior to submitting an application for Land and Water Conservation Fund assistance.

The objective of the BOR is to enhance the quality of American life through the preservation of the outdoor environment and the provision of numerous and diversified outdoor recreation opportunities. Since the beginning of the fund program in 1965, a total $243,349,624 has been apportioned to the states. Of this $207,040,476 has been qualified and approved for 3,958 projects.

Transportation Secretary, John A. Volpe, discussed the efforts of the Department to develop new techniques of moving both people and goods across the country safely, efficiently, and expediently.

Volpe said safety in all areas of transportation had been one of the increasing concerns of the departments especially as evidenced by recent legislation as to the transportation of unsafe materials like gases.

Volpe said that his department in conjunction with local and state governments must plan in light of the 50% population increase projected for the decade ahead and to plan to alleviate the increasing pollution problems aggravated by this increase and by industry. Volpe said the Dept. had appointed an Under Sec. for Environment.

"We must work to find the proper balance in transportation of public and freight and plan to expand in the support of airport facilities as the influx of air freight and passenger transportation becomes a larger and larger problem to cope with."

"We must work to insure that ground transportation continues and to see that it is uplifted and upgraded. Even with all the modes of transportation now in existence, we still won't be able to handle all the people and freight needing transportation in the future.

Volpe said the Department was now working with the new town concept developed in conjunction with the Rural Affairs Counsel which will work to alleviate the crisis whereby 70% of the population lives on 2% of the land and in 10 years nearly 80% of the population will live on 2% of the land. "We must study and work to tackle the whole transportation problem and the intermodal concept."

Volpe said many of the programs devised to correct inherent transportation difficulties would depend, for their success, upon the cooperation of the states and local governments.

Walter Mazan, Assistant Secretary for Public Affairs, Department of Transportation was also on hand to field questions conferees raised about the specific areas and modes of transportation and facilities.

Other speakers at the two-day Community Officials Conference included Jack Eachon, Jr., Associate Administrator for Financial Management, Small Business Administration; Robert G. Cleveland, Director of Public Affairs, Department of State; Donald Johnson, Administrator of the Veterans' Administration and Clark Mollenhoff, Special Counsel to the President. Colonel Ferd Anderson and Lt. Colonel Carlyle Charles reviewed

Corps of Engineers assistance programs available to local governments.

Eachon said the SBA funded basic principal loans to businesses that show evidence of a reasonable chance to repay the loan. The SBA operates with a limited amount of guaranteed funds. The normal guaranteed loan is usually for 20 years. Eachon said that two main areas of work now include research toward the efficient shortening of the application forms and the continued efforts to campaign for secondary markets for the SBA loans, especially in private enterprises.

Cleveland fielded delegates questions on such hot spots as the Middle East, policy forming on Vietnam and U.S. role in the rest of Asia—especially Laos.

Johnson told officials that the VA today was second to none in hospital care for the nation's veterans. Contrary to rumors, he assured the Iowans, the VA has not suffered any monetary cuts for the 1970–71 budget. The Presidential request, he said, will give tht VA at least $357 million over fiscal appropriations for 1970 and allotment was made for a 10 percent staff increase over the previous year.

Johnson said that there was no truth to the rumor that there has been a loss in doctors for the VA hospitals. He said that, in fact, at the present there is an increase of 300 more doctors than the figures showed 8 months ago, including 29 hard-to-get psychiatrists. Johnson also added that the VA is and will meet the hospitalization needs and other benefits of the Vietnam War era veterans.

Mollenhoff addressed his remarks specifically to the role of the Omsbudsman in government. Mollenhoff said there was a need for an advisor or counsel who is not personally or otherwise involved in the decisions of government and someone who does not have responsibilities in that capacity. With the services of such a person, the President or other government officials can attain objective advice. The work of this particular type of counsel is to hear, feel out and see the rumblings in the undercurrent of public or federal opinions.

Mollenhoff said the President needed this type of counsel especially to protect him from his own cabinet; a counsel to act as investigator, to clarify the facts and bridge the gap toward fast action when a particular crisis arises.

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PARTICIPANTS IN COMMUNITY OFFICIALS CONFERENCE AGENDA

FIRST DISTRICT

Bettendorf: William R. Rashid, Don Schmeiser, James W. Strieck.

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Davenport: Bob Fensterbusch, John H. Jebens, Robert H. Krieghoff, John McCormick, Joe Tomlinson, Robert Whitson, Bill Gress.

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West Burlington: Robert J. Gibson, Chester Mason.

West Point: E. M. Boerger, Victor Schierbrock.

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Newton: Thomas E. Hill, Sam Paley.

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Vinton: Bennett Fischer, Kyle Hummel, John H. Moore, Robert Nelson, Dr. Norman Reitzel, Robert Steffa, Winston Watson.

OTHER PARTICIPANTS

Des Moines: James W. Callison, Kenneth C. Henke, Jr., William M. McLaughlin, Chad A. Wymer, Bob Wilbanks.

Lincoln, Nebraska: Marvin Garber.

WASHINGTON AREA MEDIA REPRESENTATIVES

James Risser, David Henderson, Dorothy Williams, Bob Poos, David Ferguson.

SPEAKERS AT COMMUNITY OFFICIALS CONFERENCE AGENDA

Honorable Robert Finch, Secretary of Health, Education, and Welfare, Department of Health, Education, and Welfare.

Honorable John A. Volpe, Secretary of Transportation, Department of Transportation.

Honorable Clifford M. Hardin, Secretary of Agriculture, Department of Agriculture.

Mr. Clark R. Mollenhoff, Special Counsel to the President, The White House.

Honorable Donald Johnson, Administrator, Veterans' Administration.

Honorable James V. Smith, Administrator, Farmers Home Administration, Department of Agriculture.

Mr. Joseph R. Hanson, Assistant Deputy Administrator, Farmers Home Administration, U.S. Department of Agriculture.

Mr. Howard A. Cohen, Deputy Assistant Secretary for Welfare Legislation, Department of Health, Education, and Welfare.

Mr. Jack Eachon, Jr., Associate Administrator for Financial Management, Small Business Administration.

Mr. G. Douglas Hofe, Director, Bureau of Outdoor Recreation, Department of Interior.

Mr. Leo A. Morris, Director, Community Facilities Division, Department of Housing and Urban Development.

Mr. William S. McGill, Senior Program Advisor for Region 4, Department of Housing and Urban Development.

Mr. Lawrence Goldberger, Chief, Program Policy Staff, Housing Assistance Administration, Department of Housing and Urban Development.

Mr. Murray L. Weidenbaum, Assistant Secretary for Economic Policy, Department of Treasury.

Colonel Ferd E. Anderson, Jr. and Lt. Colonel Caryle H. Charles, U.S. Corps of Engineers, Department of the Army.

Mr. Richard W. Velde, Associate Administrator, Law Enforcement Assistance Administration, Department of Justice.

Mr. David D. Dominic, Commissioner, Water Pollution Control Administration, Department of Interior.

Mr. Robert G. Cleveland, Director, Office of Public Affairs, Department of State.

Mr. Walter Mazan, Assistant Secretary for Public Affairs, Department of Transportation.

Mr. Lamar Guthrie, Chief, Development Program Division, Department of Transportation.

Mr. Ed Swick, Deputy Director, Bureau of Public Roads, Department of Transportation.

Mr. Bill Loftus, Chief, Policy & Analysis, Railway Administration, Department of Transportation.

Mr. Ron Luczak, Office of Program Operations, Urban Mass Transit Administration, Department of Transportation.

TRANSISTHMIAN PIPELINE IN PANAMA: PLANS FOR

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 10 minutes.

Mr. FLOOD. Mr. Speaker, the Wall Street Journal of January 23, 1970, published a news story from London to the effect that the Panamanian Government has signed an agreement with two European companies, one British and the other German, for the construction and operation of a transisthmian oil pipeline.

This pipeline would run from the Gulf of San Blas on the Atlantic side of the Isthmus to a point on the Pacific side near the mouth of the Bayano River and cost about $80,000,000. There would be a tank farm at each terminus.

To obtain fuller information than that supplied in the news story, I wrote the Secretary of State asking specific questions and have received a reply from the State Department.

As this exchange of letters will be of interest to all concerned with the interoceanic canal problem, particularly committees of the Congress, I quote them as part of my remarks, as follows:

[From the Wall Street Journal, Fri., Jan. 23, 1970]

PANAMA SIGNS ACCORD FOR TWO FIRMS TO BUILD WEST-TO-EAST PIPELINE—LOW-COST ROUTE, BYPASSING CANAL, WILL MOVE CRUDE OIL; BRITISH, GERMAN TEAM TO DO THE WORK

LONDON.—The Panama government has signed an agreement for two companies, one British and the other German, to arrange financing, supply, installation and operation of a $80 million trans-Panama pipeline, including ocean terminals and related facilities.

The state-owned pipeline is aimed at providing a low-cost route for the movement of crude oil from fields on the Pacific coasts of North and South America to consuming markets on Atlantic coasts. Panama expects companies producing crude oil in Alaska and on the Pacific coast of South America to be the main users of the pipeline. The pipeline would eliminate tanker transit through the Panama Canal.

The two concerns involved are International Management & Engineering Group Ltd. of London, privately controlled engineering consultants, and Thyssen Stahlunion-Export, a subsidiary of the West German steelmaker, August Thyssen-Huette AG of Duisburg-Hamborn.

JANUARY 28, 1970.

Hon. WILLIAM P. ROGERS,
Secretary, Department of State,
Washington, D.C.

DEAR MR. SECRETARY: During World War II the United States constructed a Trans-Isthmian pipe line in the U.S. Canal Zone territory, which was used extensively in loading tankers at Balboa, with fuel destined for the Pacific.

I have read with much interest a newsstory from London, England, in the *Wall Street Journal* of January 23, 1970, to the effect that the Panamanian Government has signed an agreement with two European companies for the construction of a state-owned Trans-Isthmian pipeline across the Republic of Panama. A copy of the newsstory is attached.

Full information is requested on the following points:

(a) Location of the proposed pipe line with general plans for ocean terminals and related facilities.

(b) Whether the capacity of the existing pipe line in the Canal Zone is adequate for the prospective needs, and whether the United States ever abandoned its use.

(c) Whether the construction of the proposed new pipeline is in derogation of existing treaty rights of the United States.

(d) What agreements, if any, have officials of our government made in the promises.

Sincerely,

DANIEL J. FLOOD,
Member of Congress.

DEPARTMENT OF STATE,
Washington, D.C., February 19, 1970.

Hon. DANIEL J. FLOOD,
House of Representatives,
Washington, D.C.

DEAR CONGRESSMAN FLOOD: The Secretary has asked me to reply to your letter of January 28, 1970 concerning a newspaper report that the Panamanian Government is proceeding with plans for the construction of a state-owned Trans-Isthmian pipeline. You requested information on several specific points concerning this proposal.

Before answering your specific questions, it might clarify matters to point out that the proposed pipeline referred to in the newspaper article does not contemplate the use of facilities constructed by or subject to the jurisdiction of the United States Government. I understand that there was an earlier proposal by National Bulk Carriers and Williams Brothers which would have utilized the Navy facilities referred to in your letter; however, this is unrelated to the European proposal which was the subject of your inquiry.

Returning to your questions, our understanding is that the pipeline envisaged in the European proposal would extend from a tank farm approximately 50 miles east of Colon across the Isthmus to a tank farm more than 25 miles northeast of Panama City. Terminal sites would be located entirely in territorial waters of the Republic of Panama. A map cut which appeared in the January 20, 1970 issue of the *Panama American* is enclosed for your information.

We understand that the Department of the Navy, in examining the proposal from National Bulk Carriers/Williams Brothers, had noted that there was some excess capacity in the pipelines constructed during World War II in Canal Zone territory. Some portions of the pipelines are still used by the United States Government. For more details on the existing Navy pipeline you may wish to contact the Department of the Navy directly.

Since the official announcement describing the European firms' proposal indicates that the route will be entirely on Panamanian territory and waters, it does not appear that the questions of treaty rights would arise.

Concerning your final question, officials of the United States Government have made no agreements with the Government of Panama on Panamanian plans to construct a pipeline in their own national territory.

If the Department of State can be of further service to you, please do not hesitate to call on us.

Sincerely yours,

H. G. TORBERT, JR.,
Acting Assistant Secretary for Congressional Relations.

THE UNITED STATES CAN AND SHOULD CUT MILITARY COSTS IN EUROPE NOW

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Wisconsin (Mr. REUSS) is recognized for 60 minutes.

Mr. REUSS. Mr. Speaker, on March 12 I sent a letter to Secretary of Defense Laird inquiring into the fate of a Department of Defense program known as Redcoste. The initials stand for "Reduction of costs—Europe." When some $14.8 billion of our defense budget goes toward fulfilling our NATO commitments, when more than $2.6 billion of this amount is spent directly in Europe leading to at least a $1.6 billion dollar drain, I can think of no more laudable or timely obective for a program.

Yet last year, Secretary Laird, in his revised defense budget for fiscal year 1970, deferred action on at least two cost-savings measures recommended under Redcoste. And in this year's defense posture statement, there is no mention of Redcoste, or even of a son of Redcoste. This is surely a singular omission given the size of the U.S. balance-of-payments deficit, soaring U.S. military expenditures, and savings reportedly to be achieved under Redcoste—some $200 million in overseas expenditures and some $400 million in the budget according to a January 26, 1969, article by Mr. William Beecher of the New York Times.

If Redcoste has been dropped—which is what I fear—the program should be promptly revived and expanded. In the meantime, I have a few modest suggestions of my own to make on where we can cut some costs in Europe—and now—with savings for both our defense budget and balance of payments.

OUR PAYMENTS DEFICIT WORSENS

Mr. Speaker, the U.S. balance-of-payments deficit last year climbed to a record high of $7 billion. U.S. defense expenditures abroad also reached a new high—almost $5 billion. And this is counting only the direct costs of our military presence abroad. If we add in the indirect costs, the total is certainly higher by a billion or more. In Western Europe, our dollar outflow for military activities continued its upward course—$1.468 billion in 1965, $1.535 billion in 1966, $1.616 billion in 1967, $1.533 billion in 1968, a whopping $1.624 billion as a preliminary figure for 1969. In West Germany alone, our dollar outflow is now running at an annual rate of close to $1 billion.

In view of these record-setting figures for 1969, I find the attitude of our defense, foreign affairs, and monetary officials remarkably ostrichlike. To be sure, adjustments in value in the currencies of several Western European nations and the creation of "paper gold" have brought some calm to the international monetary scene. To be sure, for the moment foreigners like our dollars because they earn high interest. But without a more determined effort to reduce our payments deficit and to curb inflation, and especially to cut the military expenditures at home and abroad which contribute so largely to both, we are asking for future trouble.

To be sure, we may realize some balance-of-payments savings as we reduce our forces in Vietnam—but oh, so slowly. To be sure, Western European countries still purchase military goods and services from us—some $1.006 billion in 1969—but in amounts that are declining and insufficient to cover our rising expenditures on that continent. Worldwide, our receipts from military sales were an estimated $1,893 billion in 1969 as against dollar outflows for military purposes of over $4.8 billion. And then we have been promised some savings as we assume a somewhat "lower profile" abroad. But these are for tomorrow. What we need is some concrete action today.

INADEQUATE ACTION SO FAR

Mr. Speaker, I propose some action in Europe. Almost one-fifth of our defense is oriented toward Western European security. By far the greatest proportion of our ever more costly land forces are committed to the defense of Europe. Yet, at the same time, we find the sternest critics of our persistent payments deficits, the firmest devotees to gold, among our European friends. In West Germany, where we station some 210,000 U.S. military along with their 150,000 dependents and employ some 70,000 German nationals, our dollar drain last year amounted to $949 million, up from $877 million in 1968. Yet we limp from year to year with ever more unsatisfactory offset arrangements with West Germany, recent ones being comprised largely of West German bond purchases which increase the U.S. foreign debt and require us to send even more dollars to Germany in interest payments.

I note also that the few steps we have taken to cut costs in Europe—and these have been largely in reaction to congressional pressure or initiatives by other governments—have failed to produce any long-term savings. In 1966 and 1967, as a result of being asked to depart from France, we carried out some long overdue streamlining of our military establishment in Europe and brought a few personnel home. Recently, we have taken some very small similar steps in Spain and Turkey. In 1968, we also carried out a limited redeployment of some 28,000 military personnel from Germany. But any budgetary and balance of payments savings we may have realized from these actions have been more than wiped out by rising prices and wages in Europe, pay increases for our military, and the revaluation of the German mark.

WHAT CAN BE DONE NOW

For several years I have urged that Western European countries, and particularly West Germany, be asked to shoulder a portion of the enormous budgetary costs of the U.S. commitment to NATO. Recently, my colleague on the Joint Economic Committee the senior Senator from Illinois, Mr. PERCY, has pinpointed a number of areas where assumption of these costs by Europeans would be both logical and fair. For example, he suggests that Europeans pay the wages of local nationals employed by U.S. forces, construction costs for permanent installations built for U.S. forces, and transportation and fuel costs. These proposals should be pressed by U.S. officials. To be realistic, however, they will require lengthy and difficult negotiations.

Recently also, the majority leader of the other body, Mr. MANSFIELD, joined by 49 colleagues, reintroduced his resolution calling for a substantial reduction of U.S. forces in Europe. Certainly, gradual reductions should be possible over the next several years. But, again, the negotiating process within our own bureaucracies and with allies promises to to be lengthy.

Mr. Speaker, fortunately opportunities are at hand for achieving some savings in the budgetary and balance-of-payments costs of our European deployments without delay. Essentially these opportunities lie in carrying forward the streamlining begun with our move from France—in consolidating headquarters, perhaps in eliminating one or two whose missions appear less than essential, in trimming the brass at some headquarters and the support personnel and foreign employees at others.

I cannot pretend that the streamlining I propose will be painless. But at least it can be accomplished without dickering with allies, without debates over cutting into combat capabilities, and with greater efficiency and leanness for our forces as dividends. A March 1970 article in Dun's Review, entitled "Deadwood in the Executive Suite," pointed out that the giant company, North American Rockwell, like other companies now seeking more efficiency and economy in their operations, recently eliminated an entire level of management. It said:

As a result of a management study on the company's Aerospace and Systems Group, Dun's has learned, top management decided to cut out one complete reporting level for the seven divisions in the group. So the group president's office was eliminated, and the divisions now report directly to corporate headquarters. In the process, says a company spokesman, there was a major cutback "including a number of executives."

I have no doubt that the American Military Establishment in Europe can benefit from similar if less draconian measures.

During a recent conference I attended in West Germany, I was appalled to learn that within a single German electoral district there resided 37 American generals. Since that time, I have requested and received figures from the Pentagon listing the number of U.S. general-grade officers, enlisted men and civilians attached to important U.S. military headquarters in Europe. The totals are impressively large, classified of course, and tell only part of the story. For every headquarters has its support personnel—motor pool drivers, teachers, hospital personnel, maintenance personnel, translators, file clerks, and whatall who are not officially counted as part of the headquarters staff.

I cite one example. Ramstein Air Base in West Germany, headquarters for the U.S. 17th Air Force, has 18,000 military men—I repeat, 18,000 military—plus 31,000 wives and children, plus 1,200 civilian employees, 598 buildings—cost $52 million—and 1,600 vehicles, not counting private cars. The figures come from Arthur Veysey, an enterprising reporter for the Chicago Tribune, who wrote an illuminating series of articles on the U.S. Military Establishment in Europe in January 1970.

Ramstein, of course, may be unique in size and numbers. According to Veysey, it is also a tactical airbase for U.S. Phantom jet fighters, host to a NATO subcommand and 50 various support operations. But then again, unfortunately, it may not be unique. Several other U.S. commands back up, parallel, or overlap the numerous NATO commands, which also have their very ample share of U.S. personnel. Moreover, several U.S. commands are co-located with tactical air squadrons, which also appear to have a rather generous number of support personnel for the number of planes they fly.

ARE SO MANY SEPARATE HEADQUARTERS NEEDED?

There are at least 14 important headquarters for U.S. forces in Europe. Some of them undoubtedly approach the overload of military personnel who are stationed at Ramstein. They should be trimmed.

Mr. Speaker, to be specific, I suggest that streamlining in Europe can include at a minimum the following measures:

First. Cut the number of U.S. generals and admirals stationed in Europe by 10 percent. I cannot reveal the number stationed there now because the Pentagon has enjoined me from doing so, but it is enormous. Spending by U.S. personnel and their families is the largest single category of military expenditures abroad—making up 33 percent of the total. The more you earn, the more you have to spend—and generals earn a lot. Furthermore, since services for high-level officers tie up a certain number of enlisted personnel, bringing home these officers, or retiring them, should release a large number of these personnel for useful combat assignment.

THE STUTTGART COMPLEX

Second. Why not abolish the separate headquarters for U.S. Forces, Europe? The U.S. European Command, known as EUCOM, is located at Stuttgart with a vast staff, and a brand new command center that cost $13 million. Yet the commander in chief of U.S. Forces, Europe, Gen. Andrew Goodpaster, is located many miles away at Casteau, Belgium, which is the headquarters of NATO's Allied Command, Europe, and where General Goodpaster also wears the NATO hat of Supreme Allied Commander. Surely, the functions of EUCOM can be performed by a slightly augmented staff for General Goodpaster at Casteau, or by the separate Air Force, Army, and Navy commands in Europe, or by both. We could rent or sell the building at Stuttgart to the Germans, who need the space and have the cash.

Third. Combine headquarters, U.S. Air Force Europe—USAFE—now located at Wiesbaden, Germany, with headquarters U.S. 17th Air Force at Ramstein, Germany, or for that matter with headquarters U.S. 3d Air Force at Ruislip, England. What is good for the Army should be good for the Air Force. The Army accomplished an equivalent streamlining of its command structure when U.S. forces were ousted from France in 1966, and I applaud them for it. The headquarters of U.S. Army Europe, formerly located at Stuttgart, was combined with the headquarters of U.S. 7th Army, located at Heidelberg, Germany, with savings in personnel and costs and support elements. If the U.S. Army, with 190,000 men stationed in Europe can manage very well with one headquarters less, surely the U.S. Air Force with less than half that number in Europe—some 80,000—can manage even better minus a headquarters installation.

VARIOUS NAVAL HEADQUARTERS

Fourth. What is good for the Army and Air Force should also be good for the Navy and for our defnese budget and balance of payments too. The headquarters of U.S. Navy, Europe—USNAVEUR—is presently located in London, in a luxury apartment house across the street from the American Embassy, according to Veysey. Why not move it to Naples, where we have ample high-level naval personnel wearing NATO hats in NATO's Allied Forces Southern Europe command—AFSOUTH—who could well assume the responsibilities of USNAVEUR, or transfer these responsibilities to the admiral who commands the 6th Fleet in the Mediterranean?

At present, as reported by Roy Meachum in the December 7, 1969, Washington Star, we have one four-star admiral acting as NATO's commander in chief for AFSOUTH with a navy consisting of exactly one barge under his peacetime command, "a rather fancy motor boat used by the admiral for visiting ships that come calling in the beautiful Bay of Naples." We also have a

three-star admiral in command of the U.S. 6th Fleet with its 50 ships and 200 planes. He reports to our four-star admiral in charge of London headquarters, not to our admiral in Naples, who takes charge only if war breaks out and we assign our fleet to NATO. Presumably our admiral in London reports to General Goodpaster in his capacity as chief of EUCOM, as well as to the Chief of Naval Operations in Washington. Our admiral in Naples also reports to General Goodpaster—in his capacity as NATO's Supreme Allied Commander. Is this any way to run a Navy?

USNAVEUR has to look after even fewer men than U.S. Air Force, Europe—some 25,000 manning the ships of the 6th Fleet, and those manning the Polaris subs which come into Holy Loch and Rota, Spain for maintenance. There is of course a healthy complement of lesser U.S. admirals in Europe backing up those I have mentioned. Surely, we do not need all these chiefs and all these headquarters in Europe for this modest number of Indians.

AN ITALIAN HEADQUARTERS

Fifth. Mr. Speaker, I suspect there is another headquarters in Europe that we could phase out completely, lock, stock and barrel, without causing a ripple. I refer to an Army headquarters known as Southern European Task Force, SETAF, stationed in Italy and blessed, I am sure, with an ample number of support personnel and dependents.

The mission of this headquarters, according to the Department of Defense, is "to provide combat support to the NATO forces in Northern Italy." According to the 1966 Army Times "Guide to Army Posts":

Getting orders to Italy is often considered a "dream assignment" by Army officers, EM, civilians and dependents.

According to the same source:

SETAF plays host each year to thousands of vacationing U.S. servicemen and their families from France and Germany.

I am sure that SETAF is more than a serviceman's spa. But Italy is not on the central front in Western Europe, where a good argument can be made for providing substantial American "combat support." Italy is less exposed than Greece and Turkey, where we certainly have numerous military personnel but no equivalent headquarters. Let us put SETAF in cold storage at the Pentagon and airlift it to Europe when tension says we might need it.

TIME TO STREAMLINE

Mr. Speaker, the opportunities for streamlining that I have listed are only the most obvious ones. There may be other ways of carrying out these measures than the ones I have suggested. One way or another, however, I urge that these opportunities be seized. As other opportunities for savings come to my attention, and when I receive the status report on Redcoste which I have requested from Secretary Laird, I will report to my colleagues. In the meantime, for the information of my colleagues, I include at the conclusion of my remarks the series of recent articles on U.S. forces in Europe by Arthur Veysey of the Chicago Tribune, an article in the December 1969 issue of the Survey of Current Business on U.S. military expenditures abroad, a January 1969 article by Mr. William Beecher of the New York Times on cost reduction in Europe, and the text of my letter to Secretary Laird.

Mr. Speaker, the streamlining I recommend in our military establishment in Europe can be carried out promptly. It can lead to substantial budgetary and balance of payments savings. If our NATO allies should protest the measures proposed, let them be invited to assume the costs of maintaining the status quo. If these economizing measures lead to the release of foreign employees—all to the good. I know for a fact that the German economy needs every worker it can find. I also know for a fact that the American Government needs every budget dollar and balance of payments dollar it can find to put to work productively at home.

The material referred to follows:

[From the Chicago (Ill.) Tribune, Jan. 18, 1970]

DEBATE GROWS OVER AMERICAN ROLE IN EUROPE

(By Arthur Veysey)

(NOTE.—Arthur Veysey, chief of the Tribune's London bureau, has traveled more than two months thruout Europe to study first hand the United States role in the North Atlantic Treaty Organization. He has interviewed top-ranking American commanders and their staffs, and visited military bases and support facilities. In the first of eight articles on our role in NATO, Veysey discusses the views of top commanders and tells how the United States became involved in the defense of Europe.)

STUTTGART, GERMANY, January 17.—A big American military force remains in Europe 25 years after the end of World War II, and debate rages over the issue of whether many, if not all, of the servicemen should be brought home.

Almost daily, new voices join the demand that the United States reduce its military commitment and let the Europeans look to their own defenses. Sen. Mike Mansfield [D., Mont.] wants half of the troops returned home, and he may now have the backing of a majority of senators.

Today, the United States has in Europe 310,000 soldiers, airmen, and sailors, with their 240,000 wives and children. Add to this 10,000 European employes, acres of warehouses, fields of tanks, 22 air fields with 500 warplanes, a 3 billion dollar radar network, post exchanges, hospitals, schools, and deep shelters for a least 7,000 nuclear explosives.

More than two months ago, THE TRIBUNE began a study of American commitments in Europe, focusing on how troops are used and whether big cuts would be practical and wise.

Top commanders were interviewed. Military installations were visited. Meetings of the North Atlantic Treaty Organization were attended. Firsthand observations have ranged from joining a patrol along the Czech border to flying faster than sound over the Rhine river. TRIBUNE correspondents in Washington, Moscow, and Bonn contributed facts and views.

NIXON PLEDGES TO KEEP STRONG FORCE

President Nixon has declared:

"The American commitment to the North Atlantic Treaty Organization remains in force and will remain strong."

Melvin Laird, secretary of defense, told NATO defense ministers in Brussels this winter:

"The United States will make no reduction in combat troops in Europe as far as NATO is concerned."

At the same meeting, William Rogers, secretary of state, emphasized:

"A sound defense posture is indispensable as we move from the era of confrontation to the era of negotiation."

The carefully worded statements, rather than reassuring Europeans who fear the consequences of an American withdrawal, convinced NATO ministers that American cuts are coming, and they may be heavy.

American military commanders also are concerned. "Some people want the fruits of peace without the costs of peace," said Gen. Andrew Goodpaster, NATO's supreme commander, commander in chief of American forces in Europe and a native of Granite City, Ill.

TROOP LEVEL CALLED AT MINIMUM

Gen. James Polk, our European army commander, added:

"Our conventional forces are razor thin. Our level of troops is about the minimum. The soviet is speeding up and training hard."

The United States air force commander in Europe, Gen. Joseph Holzapple, a flyer from Peoria, Ill., said:

"The soviet proved in Hungary and Czechoslovakia it will move when doing so is in its interest. Our forces make a soviet move into a free part of Europe unattractive."

The American naval commander in Europe, Adm. Waldemar Wendt, son of a minister in Millstadt, Ill., said:

"If we withdraw our 6th fleet we would say to our allies, 'Let the Mediterranean become a soviet lake.' "

The United States commander in Berlin, Maj. Gen. Robert Fergusson, a native of Chicago, added:

"With 40,000 soviet troops within an hour of the city, a cut in our troops in Europe would cause real apprehension in Berlin."

In western European capitals, politicians, diplomats, political scientists, and editors tend to agree that a heavy reduction in American forces in Europe would be an event of major historical importance, outweighing in the long run decisions about Viet Nam.

Policymakers here suspect that American decisions about Europe may come as an aftermath of the Viet Nam war and be based more on emotions than on a cool assessment of the present situation in Europe and repercussions that might result from a basic change in the military balance between East and West in Europe.

ROGERS GIVES WARNING

Rogers warned the NATO ministers:

"American public opinion will increasingly demand troops be brought home from many parts of the world."

A German newspaper, Die Rhienpfalz, commented:

"The American public has grown tired of NATO."

The current American commitment in Europe stems from the end of World War II in 1945, when victory brought a euphoria.

Under its spell, the United States dismantled the most potent military force ever created. Within one year, we brought home from Europe all but 390,000 of our 3.1 million men. Canada brought home all of its 300,000 service men. Britain cut its forces from 1.3 million to fewer than 500,000. Western European nations freed from Nazi rule were impotent.

However, the Soviets were not content to restore the European map of 1939. During the war, they had taken over the Baltic states and moved their boundary westward thru parts of Finland, Poland, Romania, and the Balkans, adding, altogether, an area bigger than Italy with 23 million persons.

COMMUNISTS INSTALLED

By 1947, they had installed communist governments in the "liberated" nations of

Poland, Hungary, Romania, Bulgaria, Yugoslavia and ruled East Germany with a firm fist, thus bringing another 360,000 square miles and 95 million persons under Soviet control. Millions fled westward.

In France, Italy, and Belgium, battered by war and occupation, Communists rioted and connived. In Greece, they waged bloody civil war and held much of Athens. They were busy in distant, vital areas such as Iran with its oil, Malaya with its rubber.

Early in 1948, Jan Masaryk jumped or was thrown from his window in the foreign ministry at Prague, Czechoslovakia, which had advanced so fast in its few years of independence between the wars, fell to the Kremlin. On June 24, Josef Stalin blockaded West Berlin.

The situation was now clear. Stalin, while perhaps not seeking a new war, was certainly out to get all he could. No western European nation was strong enough to stand up to the soviets. Even together, they were a poor second. Only the United States, with its atomic bomb, could hold off the Kremlin.

"At that moment, we in the United States came to a conscious decision that our defense began right here at the iron curtain," recalls Gen. David A. Birchinal, deputy to Goodpaster.

So American troops came back to Europe. Twelve nations pledged themselves to fight all for one, one for all. Later Turkey, Greece, and West Germany joined the alliance.

ELLSWORTH TELLS VIEWS

"We must not forget," said Robert Ellsworth, the present ambassador to NATO, "that we came here for our own vital interest. We are still here for our own vital interest."

The commander of the United States 17th air force standing guard in Germany, Maj. Gen. Royal Baker, who has flown into combat more than 500 times in Germany, Korea, and Viet Nam, said:

"We are insurance for peace. But then, some people don't believe in insurance."

This insurance can be illustrated by the daily nonstop aerial marathons over western Europe.

ON CONSTANT ALERT

Three times every day of the year—at 1 a.m., 9 a.m., and 5 p.m.—a 707 jet liner packed with electronic gear roars along the 11,000-foot runway of the American air base at Mildenhall, England, 60 miles northeast of London.

Aboard is an army general, an air force general, or a navy admiral from the United States military headquarters for Europe outside Stuttgart. When high in the sky, the officer calls by radio to the plane which preceded him. He then flies in great loops over western Europe until, eight hours later, he is relieved by the next officer.

The officer has just one task: to be ready to take command instantly of all of United States military forces in Europe should a soviet missile suddenly, without warning, drop an H-bomb onto the new windowless 13 million dollar United States European command center in Stuttgart.

[From the Chicago (Ill.) Tribune, Jan. 19, 1970]

UNITED STATES IS READY FOR AN INSTANT EUROPEAN WAR

(By Arthur Veysey)

(NOTE.—What would happen if a military attack was launched against one of several western European nations? Poised to react instantly are land, sea, and air units of the North Atlantic Treaty Organization. In this second of eight articles on the United States' role in NATO, Arthur Veysey, chief of the Tribune's London bureau, tells of plans charted to react to any attack ranging from a border skirmish to all-out nuclear bombardment.)

STUTTGART, GERMANY, January 18.—The United States is ready to go to war in Europe this instant. It has been pledged to do so every minute of every day for 20 years should the soviets attack any of the North Atlantic treaty partners.

American and NATO war plans are drawn to meet any kind of strike against western Europe, Turkey, or Greece, as well as Iceland or Canada, be it an isolated border crossing by a small band, or an all-out world war.

American soldiers continuously patrol the most exposed fronts—isolated West Berlin where the Communists continue to strengthen their 50 million dollar wall with its 14,000 armed guards, and a 300 mile stretch of the iron curtain which separates the southern half of West German from East Germany and Czechoslovakia.

The patrols are thin—6,500 infantrymen in West Berlin, 6,000 cavalry men along the curtain. They constitute little more than a trip wire against the 40,000 soviet soldiers within an hour of Berlin and 300,000 more soviet troops elsewhere in the satellites, not to mention 600,000 men in satellite uniforms.

But the American patrols, in the words of America's and NATO's commander, Gen. Andrew Goodpaster, are backed up by rank upon rank of forces, American and NATO, drawn on according to the severity of the threat.

INSTANT WAR DEMANDS INSTANT REACTION

In the era of missiles and nuclear explosives, a nation deliberately starting a war could hope to win only thru an overpowering sneak attack.

The possibility of instant war demands instant reaction.

Thus the 13 million dollar command post here is always manned and backed up by alternates, some deep under the ground, one always airborne in a jet liner.

Thus vital officers at 22 air fields must always answer the telephone before its sixth ring. When parted from a phone line, if only for a minute's walk, they must carry a two-way radio tuned to the switchboard. The bases must be ready to get the first of their 500 combat planes into the air within five minutes.

Thus the 3 billion dollar radar screen, its stations perched atop mountains and hills with its 14,000 men, always probes the eastern skies, feeding information thru a variety of channels, into computers and then on to headquarters and mobile field command huts and the 12,000 men of the air defense command with their 80 batteries of missiles, big and small, and their new-style guns which spew 6,000 bullets per minute.

Every friendly plane, military or commercial, flying near the iron curtain emits a signal identifying itself. Whenever a strange golden blob shows up on radar screens, at least two jet fighters take off to learn its identity, while, down below, missiles are cocked.

Thus the Berlin and iron curtain patrols always carry a rifle, carbine, or machine gun, and are ordered, if shot at, to shoot back, stand fast, and call for help. Within 30 minutes, 50,000 American soldiers could be moving out of their camps in southern Germany and, within another 90 minutes, a further 35,000.

Thus, in the Mediterranean, the two aircraft carriers of the United States 6th fleet cruise at least 700 miles apart and one always is ready to fight. The fleet's 1,500 marines are ready to go ashore in amphibious craft and helicopters in less time than their transports need to reach land.

SUPPORT FROM THE UNITED STATES

If all this is not enough, the plans call for immediate help from the United States. Twenty-eight thousand infantry men, though living in the United States, are ready to be on their way to Europe within a day. Their tanks, cannon, armored cars, and thousands of other vehicles await them here. The air bases are ready to receive within three days at least 500 combat planes which would fly across the Atlantic, some of them refueling five or six times on the way.

The United States also expects instant help from its NATO partners who have put under Goodpaster's command 800,000 of their 2.2 million service men, with 5,000 tanks and 2,500 warplanes on 200 air fields. Former President Charles de Gaulle withdrew France's 500,000 men, 500 warplanes, and two fleets from NATO's command. NATO officers don't count on using the French forces, but they believe any Soviet attack serious enough to involve NATO also would involve France.

Current war plants, both American and NATO, limit all American and NATO forces to the immediate use of so-called conventional weapons. However, the United States admits having on hand in Europe more than 7,000 nuclear explosives.

BOMBERS AND MISSILES

A few years ago, the first Red foot on free European earth would have brought American H-bombs onto soviet cities. Today, the United States has 500 long range bombers and 1,000 missiles capable of reaching Russia, as well as 41 Polaris submarines—each with 16 missiles, but the soviets are credited with 1,100 missiles able to reach United States and 700 smaller ones and a thousand bombers able to spread havoc across western Europe.

Consequently, the United States and NATO have given up the policy called "massive retaliation" for one of "flexible response," which means that Goodpaster would use forces strong enough only to overcome the attack. Intelligence services report that the soviet's maneuvers the last two years also shunned nuclear weapons.

Consequently, tactics and equipment developed during World War II but scrapped during the era of instant nuclear war are being revived. Planes practice flying a few hundred feet off the ground and attacking such single targets, as bridges, factories, railroads, truck convoys, tank columns. Buildings painted white or cream color are being camouflaged and 342 concrete shelters are being built for combat planes at a cost of $128,000 each. Emergency repair crews with 40 men and 37 pieces of equipment are learning how to fill bomb craters in runways in a couple of hours.

COULD HANDLE ATTACK

The planners believe that American and NATO forces, as they exist today, are capable of halting any conceivable soviet attack, or at least slowing it until help could come.

But should the soviets break thru massively, plans call for nuclear weapons, altho only of battlefield size.

The basic tactic attempts to use the nuclear arms as a blocking weapon. NATO troops would set off a row of small atomic explosives in front of the advancing forces to create a radioactive belt thru which the invaders could pass only in sealed troop carriers. West German planners, would prefer the belt to be laid across soviet territory.

MORE MONEY, MEN

Being prepared for a war without nuclear weapons means more men, more equipment, more bases—all of which means more money. Yet the move away from nuclear war planning comes at a time when NATO members are cutting forces and budgets.

Britain's defense minister, Denis Healey, warned NATO ministers that large cuts would force NATO commanders to return to the policy of meeting any kind of soviet attack by immediately throwing at Moscow every nuclear explosive they hold, and if the United States holds off in an attempt to spare American cities, that Britain and France will have to launch their own missiles and bombs which, tho puny compared with those of the United States, would make quite a mess of Moscow.

[From the Chicago (Ill.) Tribune, Jan. 20, 1970]

GENERAL FROM ILLINOIS HEADS UNITED STATES, NATO FORCES IN EUROPE

(By Arthur Veysey)

CASTEAU, BELGIUM, January 19.—A United States army engineer from Granite City, Ill., holds the power of life and death over more people than anyone else in western Europe.

He is Gen. Andrew Goodpaster, supreme commander of 1.1 million soldiers, sailors, and airmen from 14 nations, including 310,000 Americans.

HAS TWO HEADQUARTERS

He presides over two headquarters—the North Atlantic Treaty Organization command in the village of Casteau with a many-nationed staff of 3,500 in a 50 million dollar complex of buildings put up in five months three years ago, and the United States European Command, called Eucom, in a former army post outside Stuttgart, Germany. The staff there is small, about 700. Because of the distance between the two headquarters, Goodpaster's deputy, Gen. David Birchinal, runs the day to day affairs at Stuttgart.

Gen. Dwight D. Eisenhower, the first supreme commander, established NATO headquarters near Versailles, outside Paris, and the American headquarters for Europe soon moved from Frankfurt, Germany, to a one-time royal hunting forest not far from Versailles. President Charles de Gaulle ordered both of them out of France.

SERVICES HAVE OFFICES

The United States army, navy, and air force each has its own European headquarters, subordinate to Goodpaster. They are widely scattered, with army Gen. James Polk in a former German army post in Heidelberg, air force Gen. Joseph Holzapple in another pre-war German army post in Wiesbaden, and navy Adm. Waldemar Wendt in a luxury apartment house in London across the street from the American embassy.

The army carries the main burden of America's participation in the joint defense of western Europe. It has 190,000 men in Europe. Another 28,000 soldiers, tho living in the United States, are pledged to fly over within a day if Goodpaster asks for them. The number of American soldiers in Europe has varied somewhat during 20 years, depending upon the fierceness of Russia's threats, but the figure has usually been in the low 200,000s.

FIVE ARMY DIVISIONS

The army's fighting force centers around five divisions, each with about 13,000 men and 3,300 vehicles. The soldiers live mostly in former German army camps, which are quite comfortable after 25 years of American use. Most married soldiers have their families here.

The soldiers go on maneuvers two or three times a year and to one of three training centers for about a month to fire their weapons. Missile crews go to the Greek island of Crete. Combat soldiers here are expected to be ready to fight at any time, so the army gives them more training here than in the United States. The extra training costs two million dollars a year for each division.

MOST ARE VOLUNTEERS

About three-fourths of the soldiers are three-year volunteers. Soldiers like European duty and few draftees get the chance to come. Each soldier costs the army at least $5,000 a year altho Gen. Polk denies that "young American soldiers have never had life so good as they do here." Most single soldiers save money, encouraged by 10 per cent interest on their special savings bonds.

Nineteen thousand soldiers reenlisted last year, most of them to stay longer in Europe. Sixty-five thousand have volunteered for Viet Nam duty, altho most did so in the early years of the war. Gen. Polk says the possibility of being sent to Viet Nam discourages some short-term soldiers from reenlisting. Career soldiers ask to go where the action is, the biggest source of promotion and awards.

U.S. AIRMEN

Gen. Holzapple's 80,000 airmen are divided into the 17th air force with headquarters at Ramstein, Germany, and about 250 combat planes and 50 transport planes at 6 German airfields; the 3d air force with headquarters at Ruislip, outside London, and about the same number of planes on 5 British bases; and the 15th air force with headquarters at Tarragona, Spain, and five bases in Spain, Italy, Turkey, and Libya, altho it is losing Wheelus field outside Tripoli. The young Arab captains and majors who seized command of the Libya government, told ailing, elderly King Idris not to come home, and ordered the Americans to pack up. Our 3,000 airmen there and their families are already leaving.

DE GAULLE ORDERS MOVE

All American air bases in Europe used Wheelus field for year-round fair weather training. Because some German fields are weatherbound about half the time for normal flying, the flyers will miss Wheelus. Gen. Holzapple says the air force will survive, but with extra effort and at higher cost.

De Gaulle, however, was most costly. He deprived the air force of nine bases. The air force moved some planes forward into Germany or backward into Britain, neither militarily ideal, and sent the others home.

The air force is taking over a German field abandoned by Canada. Present bases, together, occupy 93,000 acres of land valued at 1.6 billion dollars supplied without rent for our NATO partners.

Most of our airfields have about 3,000 men, altho Ramstein has 18,000 military men, 31,000 wives and children, 1,200 civilian employes, 598 buildings, and 1,600 vehicles, not counting private cars. However, Ramstein, besides being a Phantom jet fighter base, provides headquarters for the 17th air force and a NATO subcommand and 50 various support operations. We'll take a closer look at airfields later in this series to see why the air force has 3,000 airmen on a field with only 60 or so planes.

NO NAVY LAND BASES

Adm. Wendt boasts that his 50 ships with their 25,000 men and 200 planes need no European land bases. The 6th fleet ships are based in the United States and come to the Mediterranean area for periods of four to six months. Tankers and cargo ships deliver fuel and supplies at sea.

Of the navy's 41 Polaris missile submarines, nine operate from a tender anchored in Holy Loch in Scotland; nine from another tender at Rota, near Cadiz, Spain, and nine from the American east coast.

Each sub has two crews of about 140 men each. The men are based in the United States, fly here, take over a submarine during its month at Holy Loch or Rota being maintained and resupplied, then go to sea for two months. They fly home after the patrol. Being away from home for three months twice a year causes considerable family problems and, altho enlisted submariners may earn up to $13,000 a year, living conditions are excellent and the duty challenging, the navy is short of Polaris men.

Two special combat forces deserve mention—the 32d air defense command and the 601 tactical control wing.

The air defense men are descendants of an anti-aircraft unit that, by shooting down 240 Japanese planes in New Guinea and the Philippines, earned Gen. Douglas MacArthur's comment: "This is superior shooting."

When planes started flying higher than guns could reach, anti-aircraft outfits were scrapped. Now missiles can go higher and faster, thus planes fly low and ack-ack fire is back.

Today's ack-ack men start shooting with the Hercules, a two-stage solid fuel missile 39 feet long and radar guided, that can reach out 175 miles and catch a plane flying three times as fast as sound. Big trailers carry the "Herk." It can carry an atomic warhead.

Next comes the Hawk, 16 feet long and radar guided, reaching out 20 miles for planes flying at altitudes of 100 to 4,500 feet.

Next comes the Chapparel, borrowed from the navy.

All of these missiles can be fired without the crew ever seeing the plane.

For close work, the army has a new small missile fired by a soldier from his shoulder and a modern version of the old Gatling machine gun with revolving barrels.

TEAMS AID SOLDIERS

The men of the air control wing are the link between the flyer and the soldier. Two-man teams, each with a Jeep, live with infantry outfits. If the soldiers need help from the air force, the teams, called forward air controllers, or FACs for short, identify the target, call for appropriate planes, guide them to the target, and report damage done. In the old days, artillery spotters on a hill, or in a balloon or plane did the same job for artillery. "FACs" proved their value in Viet Nam, often operating from small, slow planes or helicopters.

Visits to army, navy, and air force units in Europe indicate that American service men are fairly happy, reasonably comfortable, and justly paid. Specialists are highly intelligent, expertly trained, and dedicated—real professionals.

[From the Chicago (Ill.) Tribune, Jan. 21, 1970]

NOTHING TOO GOOD FOR GI'S IN EUROPE

(By Arthur Veysey)

KAISERSLAUTERN, GERMANY, January 20.—For as long as anyone knows, people moving east and west across the heart of Europe have come this way. The countryside is hilly and thickly covered with evergreen forests, but the going is easier than to the north or the south.

Soldiers sacked Kaiserslautern in the 30-Years war three centuries ago. Napoleon's armies came this way. In World War II, allied bombers destroyed more than half the buildings here and killed 518 persons.

Today Kaiserslautern and the wooded hills around it hold our biggest military supply center in Europe. Commanders would prefer to have the supplies further back, in France, for example, where they were until President de Gaulle told us to take them away. About half of the material was moved here. Some of it was sent to Burtonwood, near Liverpool, in England, where we have our biggest warehouses—equal to a building 1,000 feet long and 1,000 feet wide. Ammunition went to hideouts in Wales or to Viet Nam.

A BOOMING CITY

Kaiserslautern is a booming city of 190,000 persons and, despite a large car factory and sewing machine plant, the United States is its biggest employer—with 10,000 workers.

Warehouses hold 160,000 items, ranging from tiny rivets and transistors to bulldozers, nine hospital trains, enough bridging to provide 200 spans across the Rhine river, and enough snap-on pipe to run a fuel line 1,000 miles. The list value of the items in storage is 364 million dollars.

Six-thousand tons of material arrive monthly, mostly by truck from Bremerhaven. The warehouses, always open, dispatch 50,000 orders monthly.

A long workshop is used in rebuilding heavy equipment. Tanks, jeeps, trucks, torn

sleeping bags, and worn shoes go to other workshops. The armed forces save money by getting the work done here. Wages are lower and there are no Atlantic freight bills to pay.

Kaiserslautern, though the biggest supply center, is only one of six American depots and four major maintenance areas in Europe, where our forces have, altogether, 2 million tons of supplies worth 2 billion dollars. Commanders think they have enough to wage a war for three months. To keep stocks level, a cargo ship arrives from the United States every other day.

Most of the 310,000 American service men in Europe are stationed in Europe for two or three years. Almost all married men have their families here. The bases have apartments or houses for only half of the 240,000 service wives and children. The rest live "on the economy" and many complain of high rents and low temperatures.

HOUSING CHANGES HANDS

Military housing changes hands every eight months, on the average. Cleaning and redecorating cost 40 million dollars a year. Workshops repaired 123,000 pieces of furniture last year. Base laundries washed 68 million pieces of clothing, and base dry cleaners handled 1,445,000 apparel items. Post exchanges employ 16,000 persons and made 26 million dollars on sales of 406 million dollars. Commissary sales amount to 68 millions.

About 110,000 children attend military post schools, with staffs of 5,000 at a cost to the government of 79 million dollars a year, or about 700 dollars per child [about the same as in the United States]. Children at remote, smaller bases attend boarding schools.

The high school at Lakenheath, England, is fairly typical. The buildings are American-designed, bright, light, warm, well equipped, and overcrowded, with 920 boys and girls, including 380 boarders, in space designed for 450. The 41 teachers and 25 counselors are American citizens. They came here for one or two years. Texas and California supply the largest number. The students read American books, have American curriculums, play American games. Slightly more than half go on to college.

GROW UP FASTER

Military children supposedly grow up faster than others, and become accustomed to separation from their families earlier.

Fifty thousand service men are taking college subjects, either from 50 universities offering correspondence courses or in seven operating classrooms at various bases. Forty-thousand are learning foreign languages, although the Pentagon, in an economy move, is threatening to charge them $10 each if it thinks the language is not a military necessity. The military offers to help its 15,000 men who are almost illiterate, but few of the latter take advantage of the opportunity.

The armed forces boast that their medical service is as good as that in any American community. In Germany, the army has 15 hospitals with 500 doctors, four psychiatrists, and three psychologists useful for keeping an eye on persons who know military secrets, and 11,500 other staffers; a variety of field medical services; 65 dispensaries; 108 dental clinics.

A TYPICAL DAY

On a typical day, about 750 service men and 650 wives and children are hospital patients, and 32 babies are born. The army puts its medical bill in Germany alone at 23 million dollars a year.

An air force hospital at Lakenheath cares for the 25,000 American service men in England and their 25,000 wives and children. Its new building is quite magnificent. For its daily quota of from 80 to 100 patients, it has 35 doctors, 54 nurses, 270 other medical personnel. Every Monday a plane flies around Britain collecting people requiring treatment. The hospital operation costs a million dollars annually but its commanders say the cost would be double that back home.

OWN RADIO NETWORK

The army, navy, and air force believe that by keeping a man interested and active on his base, he will stay out of trouble. Bases have a variety of clubs with good food, cheap, tax-free drinks, and bingo and slot machines to help pay the costs. They have movie theaters, bowling alleys, shops, libraries, gymnasiums, baseball and football grounds with military league games on Saturdays, and often swimming pools.

The GIs have their own radio network and, in Germany, a television station showing American programs nightly between 8 p.m. and 1 a.m. American and German TV systems are different technically, so the Germans need converters to look in.

The military daily paper, Stars and Stripes, prints lots of news, sells for a nickel, carries no advertising, has built a new million dollar plant, and has a circulation of 145,000, the largest of any English language newspaper on the continent. American Express provides banking services and military postoffices accept letters for homes at regular American postal rates.

The crime rate is lower here than in the United States. Agreements with European governments authorize local police to arrest suspects for crimes off the bases, but the police turn most offenders over to the military. Drunken driving is the most common offense. At last count, 51 soldiers were in German jails. Military courts now have professional judges and lawyers. A portion of the World War II horror camp at Dachau is an American military prison.

SOURCES FOR ADVICE

For advice, soldiers can call on 188 lawyers, 200 chaplains, 350 Red Cross workers. To get away from their bases, families can obtain cheap vacations at 15 subsidized resort hotels, mostly in the Bavarian Alps. Berchtesgaden, where Hitler used to vacation, has a religious retreat.

The forces make available a much fuller life than many service men expect.

[From the Chicago (Ill.) Tribune, Jan. 22, 1970]

PLANES ARE FEW, BUT UNITED STATES MANS NATO BASES FOR WAR

(By Arthur Veysey)

ALCONBURY, England, January 21.—One day in 1938 English workmen cut a gap in a hedge separating two cow pastures. They put up a couple of huts and some tents and, lo, the royal air force had a flying field.

During the war, the American air force moved in, making some improvements. Jimmy Stewart and Clark Gable flew and manned guns in bombers.

The Americans went away after the war, but the Berlin blockade brought them back.

Today Alconbury is a base for Phantom reconnaissance planes. Not far away, another American base, Mindenhall, handles transport planes. They are fairly typical of our air force installations in Europe.

NINETY-PLANE NUCLEUS

About 60 Phantoms are based here, and there are about 30 Hercules transports at Mildenhall. Now, guess how many men the two bases have together. Two thousands? Four thousand? The answer is 6,000. Plus 6,000 wives and children. Plus 200 American civilian experts. Plus 1,500 British civilians to do the chores. And these numbers would be larger if the two bases did not depend upon another, Lakenheath, for a hospital and secondary schools.

Does the air force really need all these people to keep 90 planes flying?

Commanders quickly explain that our air bases in Europe are all designed for use in war and thus must be ready to handle many more planes than the few kept here in peace time. Basic services are about the same whether an air field is putting up 10 planes or 200. The control tower, communications systems, weather bureau, emergency services are all needed 'round the clock. Maintenance shops have equipment and supplies needed in the early days of a war.

At a peace time base, flyers are hard to find. A Phantom has a crew of only two, a Hercules transport four to seven. The Phantom flyers, usually lieutenants or captains, average 29 years in age, are college graduates, and have been flying for four to six years. Squadron commanders sometimes have as much as 7,000 hours of flying time.

VIETNAM BACKGROUND

Nine out of 10 have been in Viet Nam, and some can tell fierce tales. Col. Ralph Findlay, deputy commander of operations, was hit over North Viet Nam but managed to guide his burning plane out to sea. His canopy jammed and his suit was burned off by the time he got out. His navigator was plucked out of the sea with both legs shattered, but he is walking again now.

The Alconbury Phantoms, faster than sound, fly over enemy territory and radio back anything specially important they see.

But their main task is to take pictures. The planes carry a variety of magical cameras. One takes a picture from horizon to horizon. Another uses infra-red film which records differences in heat.

PICTURE OF THE PAST

On a black night, the infra-red camera not only picks out planes on a runway but can tell whether the engines have been used recently.

On a hot afternoon, flyers may come back with pictures of parked planes which the men didn't see because they weren't there. They had been moved, but their earlier shadows had cooled bits of concrete.

The cameras use film by the hundreds of feet. It must be developed quickly. So each Phantom photo base has a magnificent darkroom. It fills 26 trailers, linked together in an air-conditioned steel maze, self-sufficent except for water, and for that a pond or stream will do. Within six hours the whole thing can be ready to move either on wheels or hoisted into transport planes.

The purchase price of the spectacular, efficient darkroom? $2,600,000.

OTHERS TO INTERPRET

A photograph means different things to different people. So Alconobury has people trained to find in a photo all sorts of things of military importance, peering thru the enemy's efforts to hide and distort.

Their discoveries warn ground forces of enemy preparations and provide targets for the air force. And, after a raid, the Phantoms go back and take new pictures to assess damage. The planes are unarmed and rely on speed, maneuverability and, especially, the ability and courage of the pilot and navigator.

The Phantoms are slowed by a parachute on landing. So Alconbury must have its parachute shop. For each hour in the air, a Phantom needs 36 man-hours of maintenance. So Alconbury has 300 maintenance men who draw supplies from warehouses with 40,000 different items worth 20 million dollars. A computer keeps track of the stuff and cuts the warehouse staff by half, but, even so, 300 men are needed to fill 8,000 orders a day.

ONE NIGHT FROM UNITED STATES

If the warehouse lacks an urgent item, the computer orders it from the appropriate American warehouse and the daily trans-Atlantic cargo plane brings it overnight. The base uses 3 million gallons of fuel monthly. Most comes by pipeline from British refineries.

An air base's communications equipment

costs 28 million dollars and needs 190 men. Alconbury is tied into worldwide military networks, and indeed some of the chat from the moon comes thru here.

If the operator wanted to, he could open a line from a pilot flying over Turkey to his wife making a cake in her kitchen in Oak Park.

The generals and admirals who take turns flying around western Europe in a Mildenhall 707 have an open line to President Nixon, wherever he may be. Some operators handle secret messages and thus need approval of the Federal Bureau of Investigation, but electronic coders do most of the scrambling.

A 2-MONTH STINT

Mildenhall is the military passenger and cargo center for Britain. Eighty thousand persons, including President Nixon, passed thru last year, along with 14,000 tons of high priority cargo. The terminal has a staff of 190, plus 11 army men who serve as postal clerks, and 106 sailors for naval cargo planes.

The main business is carried out by 30 Hercules propjet transport planes which come here for two-month stints from their American bases, bringing along about 350 key men. The planes operate as far east as India and make deliveries to American embassies behind the iron curtain. For the Moscow run, the crews pick up a soviet navigator and radioman in Copenhagen.

The flyers like that run. It usually means three days of parties in Moscow.

SAFETY FOR EGGS

The planes join in military maneuvers, dropping paratroops and supplies. The packers boast that eggs they have packaged can be dropped without cracking a one.

The motor pool requires 179 men. Various offices, athletics, hobby shops, library, gym, theater, post exchange, commissary, a new steam bath, various clubs, the bowling alley, and the dental shop occupy about 350.

[From the Chicago (Ill.) Tribune, Jan. 23, 1970]

OFFICIALS CALL NATO A SUCCESS

(By Arthur Veysey)

CASTEAU, BELGIUM, January 22.—"There is no doubt in my mind that NATO has been a howling success," said the United States Army commander in chief for Europe, Gen. James Polk.

Gen. Andrew Goodpaster, supreme commander of the North Atlantic Treaty Organization, asserts that NATO has fulfilled its major objectives:

Europe has had 25 years of peace.

Western Europe has regained its confidence, recovered from war and occupation, and become more prosperous, more productive than ever.

NATIONS WORK TOGETHER

Free European nations are working together, altho shunning political union. Military cooperation makes the joint strength greater than the sum of the separate forces.

West Germany has become sovereign and an active member of the alliance.

"The real trouble with NATO is that NATO has been too successful," members of Goodpaster's 3,500 multi-nation staff say. "We've kept things quite for so long that people no longer are scared of the soviets. People say they don't need us any more."

NO FEAR SEEN

In 15 NATO nations, by any statistical comparison, need not fear being overrun by Russia and its satellites. NATO nations have 518 million persons to the Communists' 336 millions. They have 120 million men of military age against 64 million. They are much richer, with an estimated income of 1,400 billion dollars, against the Communist's 536 billion. NATO controls two-thirds of the world's wealth and does two-thirds of the world's trade in three-fourths of the world's ships.

NATO members, believing a good offense is the best defense, have doubled and redoubled their military budgets. In recent years, spending has shrunk but NATO military budgets this year exceed 100 billion dollars, more than double the soviet and satellite total. However, about 25 billions should be charged to Viet Nam.

NATO efforts to pool manufacture of arms continually clash with national business interests but occasionally do succeed. National projects can give added value to the alliance if they fit into an over-all plan. The best example is about 200 air fields, each nationally run but suitable for joint operation. Radar, communications, and pipe lines are interlinked. A NATO flotilla of four or five destroyers and frigates carries little punch but works out procedures which could be applied in war.

FAIR SHARE DOUBTED

Many Americans complain that Europeans aren't doing their fair share, devoting an average 5 percent of their national incomes to the military compared with America's 9 percent. But their budgets total 23 billion dollars where the soviet satellites contribute only 7 billion dollars to Warsaw pact costs, perhaps reflecting a soviet lack of trust.

NATO nations have 5.4 million soldiers, sailors, and airmen, a million more than the combined Communists. Because the United States has only 10 percent of its men in Europe, the Communists are slightly thicker on the ground, 1.3 million to the American's 1.1 million.

London's institute of strategic studies estimates that the communist forces have 17,000 tanks to NATO's 7,000 in Europe and 1,500 combat planes to NATO's 3,000. However, that comparison omits America's forces in the United States and America's mighty industry. The United States has given away 26,639 tanks, 8,502 warplanes, 8,598 cargo planes and helicopters, 354,992 trucks and Jeeps, 58,136 cannon, 29,357 missiles, and 3.3 million rifles, carbines, and machine guns. Much of this came to Europe as part of a 17 billion dollar military aid program. The United States also gave its partners 16 billion dollars in cash and civilian goods and services.

WEAKNESSES NOTED

NATO has two weaknesses. First, the members are widely scattered and form, in effect, a series of islands.

Geographically, France is the hub of NATO but former President Charles de Gaulle created a hole there, closing nine American air fields and 24 depots, and forcing headquarters to move to Belgium, Holland, and Germany.

High French military men and many influential citizens want France back in the NATO military command, knowing France lacks the equipment and men necessary to fight on its own.

POLITICAL WEAKNESS TOLD

The second NATO weakness is political.

Factions, as so often in the past, are rending the democratic nations internally and pulling them one from another. Greece is of increasing importance to NATO as the Russian fleet moves into the Mediterranean, but NATO members are threatening to oust Greece from the alliance because of its military regime.

In 1945, the United States, and western European nations which were to become its partners in NATO, controlled much of the world. The navies ruled the seas, unchallenged. The United States ended the war with 500 foreign bases. Today, America has fewer than 100. The British, French, Dutch, and Belgian empires are gone and much of the former colonial territory is closed to NATO.

Instead of a wide choice of east-west routes across southern Europe, Africa, and the middle east, we today have just one—thru Turkey and Iran.

OPINION SHIFT COSTLY

Perhaps most costly to NATO has been the shift in public opinion in western Europe concerning the Soviet Union and the United States.

Advocates of the soviets are getting a better hearing for their contention that Russia does not intend to move into western Europe and never did.

They claim that the United States, by trying to ring the Soviet Union alliances, forced it to maintain its defenses. They point out that Russia has not fought any war since 1945 while the United States had one war in Korea and now is fighting in Viet Nam.

HELP SEEN AS UNLIKELY

Quite a few Europeans, both friends and foes of the United States, believe that ever since the Soviet Union developed its hydrogen bombs and long range missiles, the United States would be unlikely to rush to Europe's defense.

Britain's Harold Macmillan, a firm friend of the United States, believed this strongly enough to begin construction of five Polaris submarines—with American help—to replace British made bombers carrying British-made atom bombs.

Similarly, de Gaulle built 35 Mirage bombers and atom bombs at an estimated cost of 9 billion dollars. Pompidou is spending another 5 billions to give France 18 land missiles and three Polaris submarines.

ARMS RIGHTS LIMITED

NATO's front line runs thru West Germany but West Germany's military rights are limited sharply by post-war treaties.

By imposing an 18 month draft, Germany has 460,000 men in uniform but 11,900 young Germans refused to be drafted last year as conscientious objectors. The army lacks 2,500 officers and 31,000 noncommissioned officers.

The prospect of American military cuts in Europe pushes Germans toward rearmament, a word that has scared generations of Europeans.

[From the Chicago (Ill.) Tribune, Jan. 24, 1970]

NATO BURDEN ON UNITED STATES A COST ANALYSTS' MAZE

(By Arthur Veysey)

STUTTGART, GERMANY, January 23.—The joint defense of Europe, now in its 21st year, is the most costly enterprise ever undertaken by any group of nations.

In the first 20 years, the members of the North Atlantic alliance, first 12, then 15, now 14, spent 1 trillion 165 billion dollars on their military forces. Not all, of course, can be charged to operations in Europe. The United States, for instance, with military budgets totaling 847 billion, has in the meantime fought wars in Korea and Viet Nam.

A FASCINATING PUZZLE

Military spending produces two kinds of costs. Every dollar spent must come from American taxpayers, and certain foreign spending drains gold or foreign currency from the American treasury, adding to our balance of payments problem.

Trying to assess each kind of spending is a fascinating financial puzzle. Figures for the cost to American taxpayers of keeping 310,000 men in Europe vary from less than 2 billion dollars a year to more than 25 billion, depending upon who provides the figures and what he is trying to prove.

WAGES ARE LOWER

The lowest figure comes from American military finance officers in Europe, who want to emphasize economy. These officers cite the current budget for forces in Germany, totaling 1,262 million dollars and made up of 702 million for military pay, 62 million for

pay to American civilians, and 216 million for pay to German civilians, 31 million for transportation and similar costs, 79 million for supplies bought in Germany, and 172 million for electricity, water, and other German services.

The United States has more than two-thirds of its European forces in Germany. If one assumes a similar level of costs for forces outside Germany, the total European figure would be under 2 billion dollars a year.

These finance officers add that, by keeping 310,000 troops in Europe, the military saves the taxpayers money because wages of civilian employes are lower here than at home, because the European government provides real estate worth at least 3 billion dollars with a rental value of more than 150 million dollars a year, and because the Germany government pays 95 per cent of all military bills in Berlin.

Looking on the drain on gold, the officers say that about 375 million of the 1,262 million finds its way back home in savings, remittances to families or purchases of American goods and services. Also, the German government has agreed to offset 1,520 million dollars of American spending this year and next.

EXCHANGE RATE HURTS

Consequently, the officers conclude, the forces are costing the American treasury only 127 million dollars a year in gold and marks, a pittance.

On the dark side, Defense Secretary Melvin Laird says the higher value of German marks will add 100 million dollars to American costs this year. And finance officers say rising German wages and prices will add another 50 million.

Another military accounting puts the European figure for the army alone of 1.8 billion dollars and lists, among major items, 1.1 billion dollars for military pay. 63 million for education, and 23 million for medical services.

ZERO DRAIN CLAIMED

A department of defense accounting for 1967 gave the total for all forces in Europe as 2.6 billion and said that of this 1.5 billion was spent in Europe. The department claimed that all of the 1.5 billion was recovered by the treasury, 1 billion thru German arms purchases in the United States and 500 million thru German investment in treasury certificates. Thus, the department said, the forces cost nothing in foreign money or gold.

German offset deserves a closer look. Under the latest agreement to offset 1 billion 520 million dollars over the next two years, the German government proposes buying American military equipment costing 800 million dollars and American civilian goods and services costing 125 million dollars. But Germany presumably would buy these goods and services in any case. The purchases do not reduce the cost of keeping our forces in Germany.

For the rest of the offset, Germany proposes using 150 million dollars to help Germans invest in American enterprises and property. The German treasury will end the American treasury 250 million dollars worth of marks for 10 years, will extend the term of existing German loans to the United States amounting to 113 million, will delay collecting 33 million dollars interest earned on German loans to the United States, and will make early repayment of 44 million dollars in American loans to Germany.

GERMANS DRAW THE LINE

These measures have aspects of financial sleight of hand, distorting the real cost in foreign currencies and gold. In using them, the United States is behaving like an overstretched householder who borrows in order to pay current debts. He delays the day of reckoning but, by adding interest charges, increases the sum he pledges himself eventually to pay.

The United States treasury is currently trying to revise the offset agreement to include the 100 million in added costs brought about by Germany's upward revaluation of its mark. But negotiators are running up against solid German opposition. German financial officiers say that, altho Germany has had trade surpluses in recent years, the higher mark is hurting sales abroad and Germany cannot afford to alter the arrangement.

BIG MISSING ITEM

Some Americans believe the time has come for Germany to assume more of the cost of maintaining the joint defense of western Europe. They propose that Germany take over such tasks as operating the radar screen and anti-aircraft weapons, the workshops, warehouses and docks used by the American forces. American military commanders say Germans are fully capable of doing these jobs well, altho the commanders, like all military men, would regret seeing any vital service pass from their direct control.

None of this accounting so far takes into consideration the very high cost of supplies and services provided from the United States. For this, no military estimate is available.

Price tags are high: one Phantom, 2.5 million dollars; training one pilot, $170,000; a muffler for testing engines, $30,000; equipment for one army division, 236 million dollars; one Polaris submarine, 100 million dollars; 598 buildings at Ramstein air base, 52 million dollars; equipment for one bridging platoon of 23 men, 7 million dollars; shelter for on plane, $128,000; Falcons to drive birds from a Spanish air field, $22,000 a year.

TEN PERCENT OF BUDGET

The 310,000 men in Europe constitute about one-tenth of the United States' military forces and thus could be said to account for one-tenth of the normal military budget. Allowing about 25 billion dollars for Viet Nam, our normal military budget is about 50 billion. One-tenth of 50 billion is 5 billion. This figure would be light, because forces here depend heavily on many services conducted entirely in the United States.

American forces here are part of the NATO command. Some accounts would include not only American spending on our own forces, but also the sums the United States spends on allied forces. The United States has given NATO partners 17 billion dollars in military aid and 16 billion in economic aid and has contributed about 2 billion dollars to joint NATO projects.

BALANCE OF THREATS

Because of the inability to trace cost items, one accounting procedure attempts to calculate the cost of keeping troops in Europe by considering reasons for military spending.

If one accepts the widely used generality that the Soviet Union was the biggest military threat to the United States until Viet-Nam came along—if the Russian threat, that is, were equal to all other threats put together—then half the normal military budget could be assigned to meeting that threat. Our normal budget, deducting Viet Nam costs, is 50 billion dollars. Half is 25 billion, and that, these accountants say, is the real cost of keeping troops in Europe.

A look at past American military budgets supports this figure.

REMAINS ON PLATEAU

Before NATO, the United States 1949 military budget was 13 billion dollars. American forces came back to Europe and by 1952 the budget had shot up to 49 billion. In those years the United States fought the Korean war, but even after that war ended the budget never dropped below 42 billion.

For more than a decade, until the Viet Nam buildup in 1965, American military effort was designed to contain the Soviet Union and its satellites. If half of the non-Korean, non-Viet Nam, United States budgets were charged to the defense of Europe, the 20-year total would be about 400 billion. In the 20 years, European military budgets approach $300 billion. The joint total is about $700 billion.

For $700 billion, three-fourths of all European NATO families could have a new $20,000 home. But NATO supporters say that without the military spending many of the families would not need a new home. They would be dead.

[From the Chicago (Ill.) Tribune, Jan. 25, 1970]

COMMANDERS OPPOSE PULLOUT BY NATO

(By Arthur Veysey)

LONDON, January 20.—Should the United States bring home many of its 310,000 men in Europe?

"No," our top military commanders here all answer. They, and other NATO supporters, give five reasons:

1. The remaining American forces would be unbalanced and unable to fight effectively, even to defend themselves. "A token force is an expendable force and that is not good enough nor fair to the troops," Gen. David Birchinal, deputy commander-in-chief for Europe, told The Tribune. The navy commander, Adm. Wardemar Wendt, said: "Without the American 6th fleet, the ability of European navies to fight would be sharply degraded."

CLAIMS U.S. OUT-PLANED

Our air force commander, Gen. Joseph Holzapple, said the United States is already out-planed by the soviets in Europe. The army commander, Gen. James Polk, said the army has already been deprived of new model tanks and helicopters. "Our soldiers deserve the best," he says.

2. American withdrawals would leave a military gap in Europe that Europeans are unlikely to fill. "If America drops the torch, there will be no one to grab it," comments a London periodical, Time and Tide. Former ambassador to NATO, Harland Cleveland, predicted to Congress on his retirement that American withdrawal would "trigger similar reductions by our allies." NATO meetings for two years have been concerned primarily with reductions.

The Russian invasion of Czechoslovakia in 1968 frightened some Europeans into demanding stronger NATO forces but the fear has worn off and, despite the continued stationing of 70,000 soviet troops in Czechoslovakia, NATO forces are withering.

SEES PRESSURE INCREASE

3. American cuts would probably increase European pressures for seeking agreements with the soviets, regardless of the cost. The last NATO council meeting, recognizing the widespread and growing public demand for easier relations with the soviets, agreed to seek negotiations aimed at a balanced reduction of forces on both sides of the iron curtain as the best hope of keeping the military balance even in Europe.

4. For 20 years the presence of American forces here and the American pledge to fight for any of its allies if attacked have restrained European nations from seeking to dominate the continent. American withdrawal would put western Europe up for grabs. The nation in the best position to reach for continental power is West Germany, already foremost economically, financially, and industrially, West Germany has, so far renounced seeking military and political power outside its borders and accepted a role secondary to that of the United States. But West Germany, alone of NATO allies, lost territory in the World War. It alone has a basic desire to change present borders by

putting together the two halves and trying to recover territory lost to Poland in recompense for Polish territory seized by the soviets.

"West Germany is a considerable nation," says Gen. Holzapple. "Were Germany to change sides, that would make quite a difference in world affairs. Twice in my lifetime Germany has gone off the rails. The Germans have political savvy and, having been twice burned, are wary. But I don't say it's impossible for them to go off the rails again. There is much apprehension about Germany, especially in Britain and in the lowlands. I believe were we to make a big cut, the immediate shock wave would make Germans also quite panicky. I don't know where reactions would lead."

DECRY GERMAN CONTROL

Gen. Polk, former American commandant in Berlin, said: "People have long said they don't want a German finger on the nuclear trigger. To keep our vote on what happens in Europe, we must continue to keep our forces here."

5. American cuts would give the soviets a freer band at a time when the Kremlin masters have dropped former Premier Nikita Khrushchev's talk about "peaceful coexistence."

"Never again will the soviet allow anyone to speak to it from a position of strength," said President Nikolai Podgorny on the 52nd anniversary of the Bolshevik revolution.

Gen. R. G. Simonyan, writing in the Soviet Military Review, reported: "The Soviet Union's growing defense potential and its indomitable nuclear missile might have basically changed the balance of strategic forces between the United States and the Soviet Union."

CITES SOVIET MOVES

In the past year and a half, the soviets have moved their navy into the Mediterranean and "introduced" troops in Czechoslovakia, thus strengthening the communist forces east of the iron curtain.

Soviet Secretary Leonid Brezhnev bluntly pronounced the new soviet hard line in Europe. The troops will stay in Czechoslovakia, he declared, "because so long as imperialism exists, it will continue its attempts to interfere in the affairs of socialist countries."

The commander of the soviet's long-range missiles, Marshal Nikolai Krylov, wrote in Pravda that "world capitalism, headed by the United States, is preparing to plunge mankind into a rocket-nuclear war whose social, biological, psychological, and moral consequences will be far more disastrous than those of any previous war."

The soviets, besides reportedly now making more big missiles than the United States and developing warheads which will split and scatter over several targets, showed in its Czech invasion how massively it has developed its "conventional" forces in the last three years.

DOUBTS REDUCTION

Reporters of soviet policies believe the Soviet Union is unlikely to agree to any reduction in its reequipped troops because the soldiers, with their tanks, can be used also to control the growing restlessness and dissatisfaction within eastern Europe. All soviet cities have large garrisons. The satellite leaders, Walter Ulbricht, Wladyslaw Gomulka, and Janos Kadar, are old men. Their death or replacement could set off unrest. Their successors could need soviet troops.

The soviets, in presenting a pleasing face to the world, propose disbanding both the Warsaw and NATO alliances and holding a European conference to produce a "European security system."

WOULD LOSE LITTLE

At first, the soviets said the United States would not be included, it not being a European nation. Subsequently, it said the United States could be admitted as an observer. The goal is obvious: To make the soviets supreme in Europe by speeding up American withdrawal and by keeping Germany divided.

The soviets would lose little in scrapping the Warsaw pact, signed in 1955 by East Germany, Poland, Hungary, Romania, Bulgaria, Albania, and Czechoslovakia. For several years the pact had no meeting at all, taking all orders from Moscow. Satellite officers were included on its staff but when one, a Czech general named Vaclav Prchlik, complained publicly that satellite officers were given no responsibility, the soviets abolished his post and sent him back to Prague, where the Communist party expelled him. NATO Secretary General Manlio Brosio points out that the soviet have concluded a series of pacts with individual satellites which make the Warsaw pact superfluos.

The soviets continue to portray NATO as an aggressive military bloc dominated by the United States and "revenge-seeking circles in West Germany." It claims these two "coerce smaller nations into accepting NATO burdens against their own interests." It claims Norway and Turkey are "eager to escape from the NATO yoke" and calls Denmark "an unwilling junior partner."

"We see no indication that the soviet is going to jump us," says Gen. Polk, "but it keeps a firm hand behind the iron curtain. One can wonder why. The soviet could try blackmail, seizing something and challenging us to restore the old line."

Former British Prime Minister Sir Alec Douglas Home says: "Without American troops here and without America's nuclear weaponry, few nations would be free today."

UNITED STATES WEIGHING PLAN TO REDUCE NONCOMBAT TROOPS IN EUROPE

(By William Beecher)

WASHINGTON, January 25.—A little-known plan of the Johnson Administration to withdraw about 30,000 troops from Europe is expected to be reviewed by the Nixon Administration as part of a special study just ordered by the National Security Council.

The plan, involving mostly administrative and support troops rather than combat forces, was prepared in the final weeks of the Johnson Administration and was incorporated into the budget presented to Congress this month.

President Johnson's budget message offered only this glancing reference to the cut-back: "Actions contemplated in this budget will support our share of the efforts to improve the combat effectiveness of the NATO forces and, by streamlining overhead, will reduce the costs of maintaining U.S. forces in Europe."

Reliable sources say the program is designed to save almost $100-million a year in overseas expenditures and nearly twice that amount in budget costs.

About a third of the program involves consolidations of bases and other actions that do not affect American commitments to the North Atlantic Treaty Organization and thus could proceed without consultation with the allies, officials say.

The rest requires consultations, which, for the most part, have not yet started: These items are expected to be scrutinized carefully in the Security Council's two-month study of Alliance force levels and strategy.

Origins of the troop reduction plan go back almost a year, when the Department of Defense, worried about the increasingly adverse balance-of-payments problem, were seeking ways to substantially reduce costs of overseas garrisons.

SHUTTLE PLAN APPROVED

The Atlantic allies had recently approved a formula under which two-thirds of an American division would be withdrawn to the United States, but would leave its equipment in Germany and would return once a year for training exercises. Two brigades of the 24th Infantry Division flew back to West Germany this month for the first such exercise.

Pentagon officials considered applying this formula to a second American division, but quickly rejected the idea for fear it would bring a snowballing of troop reductions by other NATO Countries.

Instead, they hit upon the idea of studying the entire system of post exchanges, schools, headquarters establishments, supply depots and combat support facilities to see where consolidations and closing of bases could save money.

They produced a plan that would have reduced forces by 35,000 to 40,000 men and offered the prospect of annual savings of about $200-million in overseas expenditures and $400-million in the budget.

Such action, its proponents felt, would also show Congress the Administration was actively trying to pare down expenses in Europe and perhaps forestall Congressional demands for more drastic troop cuts.

There was considerable discussion within the Government, with the Joint Chiefs of Staff and some State Department officials insisting the program be scaled down so as not to include any basic combat elements.

Proponents described the program as "cutting the tail without hurting the dog."

Some changes were made, however, and the program was moving toward acceptance and implementation when the Soviet block invaded Czechoslovakia in August.

RELUCTANT AFTER INVASION

In the aftermath of that event, the Administration did not want to approach its Atlantic allies on the administrative reductions, primarily because they might have undercut the primary effort at the time to convince the allies they must bolster their forces in response to the Soviet Union's more threatening posture in Europe.

In the fall, when the United States was preparing to announce actions that would cost $77-million—including the advance of the 24th Division exercise by several months and an accelerated aircraft shelter building program—some officials also wanted to announce details of the proposed "streamlining" of noncombat forces and facilities.

But again, because of the fear that it might psychologically be the wrong time for such disclosure, details were withheld.

Knowledgeable officials say the consolidations that do not require consultation with allies are likely to proceed without delay.

An example would be to move American naval personnel in London to a large Navy complex in Naples. This would make room for Air Force personnel in England to take up the vacated offices and quarters, thus allowing the closing of commissaries, schools, quarters, medical facilities, and clubs for officers and noncommissioned officers at an air base in Britain.

But other parts of the plan are expected to be reviewed closely. One of these would offer to turn a number of air defense installations over to West Germany, allowing the United States to pull out the troops and supporting elements now assigned such duties.

[From Survey of Current Business, December 1969]

U.S. DEFENSE EXPENDITURES ABROAD

(By Cora E. Shepler and Leonard G. Campbell)

U.S. Government defense expenditures abroad for goods and services reached an annual rate of over $4.8 billion in the first half of 1969, the largest amount ever recorded for these transactions in our international balance of payments. For the past several years they have comprised a tenth of all U.S. purchases of goods and services from foreign countries, and have been exceeded only by private merchandise imports as a source of

foreign dollar earnings. In recent years the large increases in defense expenditures abroad have been associated with the conflict in Southeast Asia.

Defense expenditures abroad averaged about $3 billion a year from 1960 through 1965, but increased sharply following the involvement in combat in Vietnam. Tables 1 and 2 show that outlays in 1966 were $800 million higher than in the prior years, and in 1967 rose by another $600 million to $4.4 billion. In 1968 expenditures rose by only $150 million to $4.5 billion. Expenditures in each of the first three quarters of 1969 have amounted to about $1.2 billion and are now expected to total between $4.8 billion and $4.9 billion for the whole year. The flattening out in the recent past is primarily due to completion of certain major construction projects in Southeast Asia.

In 1961 the U.S. Government undertook to increase Government and commercial sales of military equipment to friendly nations economically able to bear a larger portion of the defense effort. The objectives of this program include increasing the strength of our allies, standardizing military equipment, and establishing cooperative logistics arrangements. These sales also help to offset the adverse effect of the balance of payments resulting from U.S. military deployment abroad. Since 1961 U.S. Government cash receipts associated with military sales contracts, and commercial sales of military equipment taking place under government to government agreements, have averaged well over $1.2 billion annually. As can be seen in table 3, the total for the four-year period 1965–1968 was $5.4 billion when barter sales of agricultural products arranged to reduce military net foreign exchange costs are included.

BALANCE OF PAYMENTS IMPACT

Defense expenditures abroad represent only the foreign costs of U.S. defense programs. Total Department of Defense outlays are, of course, very much larger. For instance, outlays for Vietnam in fiscal year 1969 are estimated at about $28.8 billion, of which about $27.0 billion was spent in the United States. Many of the items used abroad by the military were produced domestically and thus were not balance of payments entries. The remainder of the $28.8 billion, about $1.8 billion or 6 percent of the total, was spent in various countries for foreign goods and services for the war effort, and represents the direct Department of Defense balance of payments costs of the hostilities in Vietnam.

Defense expenditures in the United States have adverse indirect effects on the balance of payments, which are not included in the figures mentioned in this article. The indirect effects arise from increased requirements for imported materials used in the domestic production of military equipment. They also arise from the combination of an increase in military and civilian demand on the productive capacity of U.S. industry, which contributes to the increase in domestic costs and prices, and diverts a rising share of the domestic demand to imported goods and services.

On the other hand, both direct and indirect expenditures abroad have contributed to increased dollar earnings by foreign countries and thus have enabled them to step up their purchases of U.S. products either directly or through third countries. Because most of these shipments take place through commercial channels and are not related to Government activities, they are not reflected in the data discused in this article, and it would be difficult to estimate them. It is not likely, however, that the rise in foreign expenditures in the United States has fully compensated for the increase in U.S. expenditures abroad that resulted from the large expansion of military activities in recent years.

The defense expenditures shown in the tables accompanying this article (equivalent to line 16, table 1, in the quarterly U.S. balance of payments presentations) include outlays for foreign goods and services by the military agencies and similar defense transactions of the Atomic Energy Commission and the Coast Guard which meet the NATO definition of defense expenditures. In addition to the direct expenditures of these agencies for goods and services, the data include the foreign expenditures of U.S. contractors employed to construct and operate U.S. foreign installations and to furnish other services abroad. Also included are the personal expenditures of U.S. military and civilian personnel and their dependents abroad, together with the foreign purchases of the military exchanges and similar agencies which sell to personnel. Other disbursements include expenditures for NATO infrastructure, the offshore procurement of military equipment to be transferred as aid to foreign countries, contributions to international military headquarters expenses, and other outlays for administration of military assistance programs.

Outlays for material, supplies, and equipment for our own use have included uranium, petroleum, and other items imported by the Government into the United States, as well as goods bought abroad and used abroad for the support of our forces. The data shown here do not include foreign products purchased in the United States, or the foreign components of U.S. products purchased here.

Defense expenditures abroad include all purchases of goods and services from foreign governments, foreign contractors, or foreign subsidiaries or branches of U.S. firms unless contractual arrangements stipulate that a certain portion of amounts paid out to the contractors is to be expended for U.S. products and services to be used in fulfilling the contracts. In the latter case, the resulting U.S. exports are netted against military expenditures and excluded from commercial exports in the balance of payments accounts.

FOREIGN CURRENCIES AND BARTER

Expenditures by the defense agencies do not always provide new dollar earnings to foreign areas since some purchases are paid for in foreign currencies previously acquired by the U.S. Government as repayments on loans and other credits, as counterpart funds received under grant programs, and as proceeds from sales of goods and services. Of course, such use of foreign currencies does not imply equivalent balance of payments savings for the United States. During the years 1965–1968 use of these currencies by the Department of Defense has averaged about $170 million a year. All expenditures in foreign currencies acquired without concurrent payment abroad in dollars are included as part of the data shown in tables 1 and 2. Acquisitions of these currencies are included as receipts in table 3 when they are proceeds of military sales programs.

During the 1965–1968 period the defense agencies acquired an average of approximately $175 million a year of foreign goods and services under barter agreements whereby U.S. agricultural products were exchanged for foreign products. The dollar value of such foreign procurement is included as part of the data shown in various categories of expenditures in tables 1 and 2, and the barter sales of agricultural products are included in table 3.

PERSONNEL SPENDING INCREASES

Not surprisingly, higher expenditures abroad by personnel and their dependents account for a significant part of the rise in defense expenditures abroad in recent years. In addition to an overall increase in military strength abroad, recurring pay raises have made many more dollars available for foreign spending. At mid-1969, the U.S. military establishment abroad was comprised of about 1.2 million men stationed abroad or on board ships at sea, and approximately 400 thousand of their dependents were living in foreign countries.

After averaging about $810 million a year from 1960 through 1963, personnel outlays rose to over $950 million in 1964 and continued to expand rapidly to reach an annual rate of almost $1.6 billion in the first half of 1969, nearly twice the rate of the 1960–63 period. About two-fifths of the most recent totals shown for this category were purchases of foreign goods for resale and other expenditures of the military exchanges, officers' clubs, and similar activities operating with nonappropriated funds to serve personnel.

Personnel spending varies from country to country according to the number of troops and dependents stationed in each country and the attractiveness of the merchandise and services offered on the local market. Where combat duty is involved, there are other special factors. Personnel expenditures in Vietnam, for example, dropped off during the Tet Offensive last year because most of the combat troops were moved out of urban areas and early curfews were imposed in urban areas. Per capita outlays there are also lower because personnel are not authorized to bring their dependents into the area.

Where the local market does not adequately meet demand, military men and their families spend mostly in the commissaries, exchanges, and other facilities operating within the military economy. Some of this spending is for goods bought by the military exchanges in other foreign areas and significant earnings are thus recorded for some countries where relatively few U.S. personnel are stationed. Major earnings are also realized by various countries from sales to men visiting on leave or rest and recuperation and from outlays ashore of Navy personnel stationed aboard ship.

Programs to reduce the foreign exchange costs of personnel spending abroad necessarily have been voluntary in nature since some specific curbs on the per capita expenditures of military men could create a morale problem and could require legislative sanction. The number of military personnel and U.S. civilians in some oversea areas has been reduced, but pay and price increases have offset any significant savings. More U.S. goods have been made available in the military exchanges and certain limitations have been placed on sales of foreign goods.

An attractive savings program, made available to servicemen overseas on September 1, 1966, offers military personnel on active duty a 10 percent interest rate, compounded quarterly. Each man may deposit an amount equal to his entire pay and allowances up to a maximum of $10,000, subject to withdrawal overseas only in case of an emergency. Gross deposits, excluding interest, from the inception of the program through June 30, 1969, totaled nearly $620 million. These deposits, however, do not represent equivalent balance of payments gains since they may have replaced other forms of saving or remittances to the United States or may have been facilitated by transfers of money from the United States to personnel stationed overseas.

Treasury savings bond sales through payroll deductions have also helped to absorb GI funds, and disbursement procedures have been modified to make it easier for servicemen to leave a portion of their pay "on the books." U.S. personnel have also been urged to make greater use of American-controlled recreation facilities overseas. Handsome arrangements have been made for travel on U.S. carriers, and thousands of servicemen in Vietnam have taken advantage of rest and recuperation flights to Hawaii instead of traveling to Hong Kong, Thailand, Japan, or other foreign areas.

MANY CONSTRUCTION PROJECTS COMPLETE

Military expenditures abroad for construction began to decline in 1958 and dropped off

gradually to a low of less than $100 million in 1963. The next 2 years showed small increases followed in 1966 by a substantial increase of about $200 million, occurring principally in Southeast Asia. Outlays in the following year were more than $380 million but declined to $275 million in 1968.

The balance of payments costs of major defense construction projects in Vietnam and Thailand were held down by employing U.S. prime contractors who made their large purchases of heavy equipment and construction material in the United States. Thus only two-fifths of the payments to these contractors represented expenditures for construction materials bought in various foreign countries and for the employment of foreign labor. The major construction programs undertaken in Vietnam and Thailand over the last several years are by and large completed and the major contracts under these programs have been superseded by similar but smaller contracts for operation and maintenance by U.S. contractors.

DEFENSE PROCUREMENT ABROAD

As a result of various measures instituted in the early 1960's to minimize defense procurement abroad, expenditures for foreign materials, supplies, and equipment had declined from nearly $670 million in 1962 to less than $530 million annually in 1964 and 1965. Thereafter, as a result of activities in Vietnam, these purchases began to increase sharply and by 1968 they passed $1.0 billion and accounted for over one-fifth of total defense expenditures abroad.

Purchases of petroleum products represented more than half of oversea defense expenditures for merchandise in 1968, amounting to about $520 million as compared with a yearly average of $265 million for the 5 years just prior to the expansion of the U.S. involvement in the Vietnam conflict. This sharp increase in the foreign cost of refined petroleum reflected not only the stepped-up requirements for the Seventh Fleet and for aircraft fuel in Southeast Asia, but also price increases resulting from the closing of the Suez Canal in June 1967.

Reported expenditures abroad for subsistence to be supplied to troops or sold in commissaries were less than $90 million in 1968, including foods acquired under barter programs. Purchases from foreigners for cash have been held to a minimum in the last two years, in part, by employing improved modes of transportation to carry U.S. subsistence items overseas.

Another $200 million was spent abroad in 1968 for major equipment as compared with $75 million as recently as 1965. More than 80 percent of these expenditures were in Canada with most of the remainder in Germany and Japan. Expenditures for missiles, electronics, and aircraft engines and spare parts are included in the outlays reported for this category.

Expenditures abroad for the military assistance offshore-procurement programs accounted for only $16 million of defense expenditures abroad in 1968. This program, once a major factor in our defense spending, was originally established to develop the military productive capacity of our allies by buying military equipment abroad to be transferred as grant aid. After peaking at $640 million in 1955, such expenditures dropped off sharply through 1958, and since then have declined more gradually.

In 1961 the Department of Defense initiated a program to reduce expenditures abroad for materials and supplies by placing contracts in the United States when estimated U.S. costs, including transportation and handling, did not exceed the estimated foreign cost by more than 25 percent. This differential was raised to 50 percent in mid-1962 and remains in effect, together with other programs, to minimize the foreign exchange cost of procurement abroad.

SPENDING FOR SERVICES

Payments to foreigners, contractual services outlays, and other direct expenses for services totaled $1.6 billion in 1968 and comprised well over a third of defense expenditures abroad. Of this amount, nearly $900 million was paid out in Southeast Asia and $600 million was spent in Europe.

Although the employment of foreign citizens in Europe has declined, activities in Southeast Asia and higher wages and bonuses have increased the costs of employing foreigners in recent years. These expenses, which are incurred principally for the maintenance and operation of bases, amounted to about $400 million annually in the 6 years prior to 1966, and then increased to an annual rate of over $630 million in the first half of 1969.

Other expenditures include payments to foreign contractors and the foreign expenditures of U.S. contractors engaged in the day-to-day operation of our bases and providing communication, utilities, real property maintenance, and repair services. Although a reduction in the number and functions of oversea facilities has occurred in certain areas, expenditures have increased considerably, primarily as a result of Southeast Asia activities.

NATO INFRASTRUCTURE PAYMENTS

The infrastructure program is the major multilaterally-funded program by which NATO provides combat support facilities, including airfields, naval facilities, missile sites, pipelines, and land-based communication and radar warning systems. As a result of the relocation of the NATO headquarters and forces from France in the spring of 1967, it has also been necessary to construct new headquarters in Belgium and the Netherlands, to relocate the communications network, and to provide other new facilities.

The U.S. share of infrastructure costs under the current formula, is 25.8 percent on projects in which France participates and 29.7 percent when France does not participate. U.S. contractors are now eligible to bid on construction projects on equal terms with European contractors. The foreign exchange cost of our share of outlays is reduced, in part, by procurement from U.S. sources by U.S. contractors and, in some instances, by foreign contractors as well.

From the inception of U.S. participation in the program in 1951 to the end of June 1969, our total contribution to NATO infrastructure came to nearly $1.2 billion. The net impact of this program on the U.S. balance of payments cannot be measured, since procurement from U.S. sources is recorded as commercial exports and cannot be separately identified. However, activities under the program during the last several years probably have not contributed significantly to the U.S. deficit because, in some instances, special arrrangements have been established to insure that U.S. contributions are offset by orders to U.S. suppliers.

CONCENTRATION OF DEFENSE SPENDING

Even though U.S. military establishments are widely distributed throughout the world, our defense outlays are concentrated in a relatively small number of countries. In the recent past, 10 countries have accounted for about 80 percent of the total. Nearly one-fifth of the 1968 total was spent in Germany alone, where outlays reached nearly $900 million. Over one-fourth was spent in Japan and Vietnam together, where disbursements were close to $600 million in each country. Thailand, Korea, the Ryukyu Islands, the Philippines, and Taiwan, the other major support areas for the Vietnam conflict, together received almost $1.1 billion, another fourth of the total. However, data for Vietnam and Thailand are somewhat overstated since petroleum expenditures are normally charged to the location where title is transferred to the military agencies rather than to the location of the refinery. Canada with nearly $300 million and the United Kingdom with nearly $200 million were the other two major recipients.

Although it is difficult to establish a clear-cut distinction between outlays for hostilities in Southeast Asia and expenditures for other purposes, it is estimated that in 1968 about $1.7 billion, or more than a third of our gross expenditures were attributable to the Vietnam conflict. The greatest increase in military expenditures in the last several years has, of course, been in Vietnam and the support areas. However, the conflict there has clearly increased expenditures in other areas of the world, such as in certain of the oil-producing countries.

OUTLAYS IN WESTERN EUROPE

Defense expenditures in Western Europe have averaged $1.5 billion a year since 1960 and have not deviated by much more than $100 million a year. The rather substantial reduction since 1960 in the number of U.S. troops deployed in Europe has been largely offset by price and wage increases. The rapid decline in military expenditures in France, following the relocation of U.S. and other NATO forces from France in 1967, was accompanied by increased expenditures in Germany, Belgium, and elsewhere in Europe.

The Czechoslovakian crisis in August 1968, which led to an increase in troop deployment in Germany, also was partially responsible for increased expenditures in that country. In the past decade, Germany has earned more than any other country from U.S. military expenditures. In the first half of 1969, the annual rate of our military expenditures there reached almost $910 million, comprising nearly 60 percent of the Western European total.

U.S. defense expenditures in Germany probably did not contribute substantially to our balance of payments deficit from 1962 through 1967 because of our military offset agreements with that country. Under these arrangements Germany agreed to purchase military goods and services from the U.S. Government and from private U.S. suppliers at levels approximating our defense expenditures there. Final payments under these agreements was made in June 1967. Since then Germany has continued to purchase military equipment in the United States, but at greatly reduced levels. While Germany has also invested in medium-term non-convertible and non-negotiable U.S. Treasury securities, these securities will reach maturity in a few years and are a claim upon our real resources.

U.S. military expenditures in France before 1967 exceeded French purchases of military supplies and equipment from us. The peak in our defense outlays there was reached in 1955 at almost $600 million; our spending declined thereafter to somewhat over $200 million in 1966, the last full year before our military forces were removed. Expenditures in France are now running at an annual rate of less than $20 million.

Expenditures in the United Kingdom declined steadily from nearly $290 million in 1960 to less than $150 million in 1966. In the following year, the United States made an advance payment of $35 million to the United Kingdom for military equipment and the total for 1967 rose to $210 million. Expenditures have since averaged close to $200 million a year. Apart from purchases by military exchanges and direct personal expenditures by servicemen and their dependents, most outlays in the last 2 years have been for troop support and the operation and maintenance of our bases.

EXPENDITURES IN THE WESTERN HEMISPHERE

U.S. defense outlays in Canada reached a peak in 1958 of over $440 million, which included about $280 million spent by the Atomic Energy Commission for the procurement of uranium. Thereafter, uranium pur-

chases declined and our overall expenditures trended downward until 1966. Beginning in 1966 they increased steadily to reach an annual rate of $310 million in the first half of 1969.

These outlays have been partially offset by Canadian purchases in the United States under the U.S.-Canadian defense production-sharing program. Under this program the value of contracts placed directly by the Department of Defense in Canada, as well as subcontracts placed there by U.S. contractors, is measured against the value of similar Canadian contracts placed in the United States. Thus the program was designed to provide that, in the long run, military exports to Canada would balance military imports from Canada for certain military procurement, repair, overhaul, and modification of military equipment. Basic raw materials, fuels and lubricants, construction, off-the-shelf general procurement, and certain services do not come under the provisions of this program.

Outlays for goods and services in the American Republics, although widely dispersed among countries, now consist primarily of expenditures in Panama related to Canal Zone operations and purchases of petroleum products in Venezuela. During 1965 and 1966 these transactions were augmented by relatively small expenditures in the Dominican Republic. Since 1966 expenditures have been in excess of $100 million annually.

Reported expenditures in other countries of the Western Hemisphere, a little more than $80 million in 1968, have been less in the last 5-year period than in the several years preceding our entry into the Vietnamese conflict. These expenditures are principally for procurement of petroleum products from the Netherlands Antilles and Trinidad. It should be noted, however, that data for these areas are somewhat understated since petroleum expenditures are normally charged to the location where title is transferred to the military agencies, e.g., Thailand and Vietnam, rather than to the location of the refinery.

URANIUM PURCHASES IN SOUTH AFRICA

The data shown in table 2 for Australia, New Zealand, and the Union of South Africa cover primarily expenditures of the Atomic Energy Commission in the Union of South Africa and, beginning in the fourth quarter of 1967, the personal expenditures of troops from Vietnam on rest and recuperation in Australia. Purchases of uranium from South Africa were concluded in first quarter of 1967 and the expenditures for this commodity in 1966 and 1967 were offset by barter sales of agricultural products.

SOUTHEAST ASIA AND REST OF THE WORLD

In the rest of the world, expenditures amounted to $800 to $900 million annually in the 5-year period before hostilities intensified in Vietnam. In 1965, the first year of stepped-up activity, they increased to almost 1.1 billion and in the following year rose to $1.8 billion. The increase in 1967 was less steep but still amounted to over $500 million, for a total of over $2.3 billion. Thereafter, expenditures climbed at a slower pace, and by the first half of 1969 they reached an annual rate of $2.7 billion.

U.S. military outlays in Japan have been second only to those in Germany since 1959, but in the prior decade Japan earned considerably more than Germany. Annual Japanese earnings reached a peak of about $750 million in calendar years 1952 and 1953, but then began to fall after the Korean armistice and continued to decline through 1964 when they amounted to only two-fifths of their largest annual total. Japanese earnings turned upward in 1965 with the increased U.S. activity in Vietnam and by the first half of 1969 were running at an annual rate of $640 million.

Almost half of the 1968 outlays in Japan consisted of expenditures by U.S. personnel or purchases by the military exchanges for resale to troops in Japan, Vietnam, Korea, and the other areas. Military exchange purchases amounted to $135 million in 1968, almost triple the 1965 figure. Direct personnel expenditures in Japan have also increased, primarily because of outlays by men based in Vietnam who are in Japan on furlough or on rest and recuperation. Also, most of the men in the Pacific Fleet sooner or later have an opportunity to make a port call in Japan, a favorite liberty port among camera and stereo enthusiasts, and spend heavily on these and other items.

As in many other countries in this area, expenditures in Korea varied little during the years 1960–65, but almost doubled in 1966 when procurement of goods and services for use in the war effort began to make its impact. In 1967 Korea earned nearly $240 million, almost twice the annual average earlier in the decade and about three times the highest annual amount earned during the Korean War. In 1968, following the Pueblo incident, our military position in Korea was strengthened and expenditures rose to over $300 million. By the first half of 1969 the annual rate had climbed to nearly $360 million.

The United States has built up in Thailand a network of air bases, deep-water ports, supporting highways, supply installations, and communication systems. Construction in Thailand was carried out by several U.S. civilian construction companies and Army engineers, using American equipment to a considerable extent. Many Thai laborers were employed, however, and construction materials were procured in Thailand and other support countries. Most American military supplies have been moved from seaport to airfield via Thailand's domestic transport network.

Gross expenditures in Thailand reached a peak of almost $320 million in 1968 and then began to decline with the completion of the major construction programs. The withdrawal of 6,000 Air Force and Army support and construction personnel in this fiscal year may reduce them even further. Operating and maintenance expenses, combined with the personal outlays of U.S. troops stationed in Thailand and of troops there on rest and recreation from the combat zone, represent most current defense expenditures providing dollar earnings to that country.

U.S. military expenditures in Vietnam were comparatively minor prior to the last half of 1965. About mid-1965, however, with the progressive increase in personnel and activity, expenditures began to rise rapidly and by 1968 amounted to over a half billion dollars, as compared with about $65 million in 1964. When the United States entered combat activities, it was hampered by a scarcity of logistical facilities. The two major ports at Da Nang and Saigon were grossly inadequate to meet new demands and the delivery of support equipment by sea necessitated the construction of deep-draft ports. Large construction projects were also begun on airfields and storage facilities.

The increased requirements for labor, both skilled and unskilled, brought about by these vast projects led to labor shortages and resulted in an agreement between the U.S. Government and the Government of Vietnam for employment by U.S. contractors of third-country nationals, with first priority going to troop-contributing countries and then to countries rendering economic assistance to Vietnam. Of the amounts paid out as wages to such third-country nationals, only the workers' piastre expenditures are included in the data shown for Vietnam. The balance is allocated principally to Korea, the Philippines, and Thailand where most of these wages are remitted.

Late in 1965 military payment certificates (MPC's) were introduced as a means of paying the U.S. forces in Vietnam. These MPC's are denominated in dollars and used instead of U.S. currency or dollar negotiable instruments as the official medium of exchange for transactions in military exchanges and other establishments of the Armed Forces. Military disbursing officers and banking facilities are authorized to exchange MPC's for piastres to be spent in the local economy but will not generally exchange MPC's for U.S dollar negotiable instruments unless personnel are leaving the country. Personnel are prohibited from using either U.S. currency or MPC's for purchases of Vietnamese goods and services and are required to purchase all piastres from official sources.

While the recent withdrawal of 60,000 troops from Vietnam will reduce personnel expenditures in Vietnam, the total oversea disbursements will not fall by a proportionate amount because some of these troops are moving to other foreign areas. Nevertheless, with the completion of major construction programs and the decline in troop levels in Southeast Asia as a whole, military expenditures in the area may decline in 1970.

U.S. ALLIES BUY AMERICAN PRODUCTS

Increased U.S. military sales in countries economically able to procure a portion of their defense requirements in the United States have helped to offset the deficit impact of U.S. military disbursements. These sales have also fostered cooperative logistics with our allies and have enabled them to obtain weapons systems from the United States for much less than it would have cost them—counting research, development and production—to manufacture comparable systems.

Many American products have been transferred under military sales contracts, including aircraft such as fighter-bombers, transport and training planes, multipurpose jets, and helicopters; destroyers and patrol boats; ammunition and missile systems; electronic and communication equipment; tanks, vehicles, and various parts and spares. As a result of these transfers U.S. Government cash receipts associated with military sales contracts and other programs have ranged from $0.9 billion to $1.1 billion a year during the last several years, as shown in table 3. In the first half of 1969 they were at an annual rate of $1.1 billion—nearly five times the amount of 1960. (Quarterly data are shown in line B.3, table 5, of the U.S. balance of payments presentations.)

Receipts from Germany accounted for nearly half of the aggregate $7.1 billion of such receipts during calendar years 1962 through 1968. Of the global total, about $6.5 billion represented cash received under foreign assistance legislation authorizing reimbursable military exports. The remainder, averaging nearly $90 million a year, represented primarily the dollars and foreign currencies acquired either through the sale of property excess to the needs of military installations abroad, or through sales of materials and services provided under various logistical support programs to the United Nations Emergency Forces and to the allied countries contributing military strength in Korea and Vietnam. Also included are sales both here and abroad of petroleum products and other goods and services furnished to foreign naval vessels and aircraft. Receipts of foreign currencies contributed to the United States by foreign countries under military assistance programs, which are used principally for the support of our military missions abroad, are also included as part of these various receipts.

Although $7.1 billion of cash was received by the Government in the last 7 years, approximately $6.4 billion of goods and services were actually transferred to foreign countries during the period. These transfers under the military sales program included exports from the United States, transfers from stocks overseas, sales over-the-counter

abroad, and training and other services provided either here or abroad. Transfers of goods and services to Germany represented 35 percent of the total, to the United Kingdom 13 percent, and to the other countries of Western Europe 21 percent. Exports to Canada and the American Republics were 7 percent of the total, to Australia and New Zealand 9 percent, and the remaining 15 percent went to Japan and the rest of the world. Line 4, table 1, of the quarterly U.S. balance of payments presentations provides quarterly data for these military exports.

Barter sales of agricultural products arranged to finance purchases by the military agencies and the Atomic Energy Commission began in 1963 and by the end of June 1969 the cumulative value of payments to the Department of Agriculture by these agencies for shipments to foreign countries was almost $840 million. Under this program agricultural commodities are provided to a barter contractor as an intermediary in obtaining foreign goods and services to meet a portion of the oversea requirements of both military and nonmilitary agencies. The objectives of the barter program are achieved only to the extent that the exports under it are additional to agricultural sales that otherwise would be made abroad for payment in dollars. The Department of Agriculture has a screening procedure to maximize the probability of additionality in each approved barter transaction.

Table 3 also shows the available data for commercial sales of military items to NATO and to Germany, Italy, Japan, Iran, and Saudi Arabia under government-to-government agreements. These receipts for equipment procured directly by foreign countries from private U.S. sources have averaged about $200 million a year since 1961.

In recent years special U.S. Treasury medium-term securities have, on occasion, been sold to foreign governments when our military expenditures in their countries are significantly larger than their military purchases from us. These financial measures, which do not represent a long-term solution to the military deficit, are not included in table 3.

TABLE 1.—DEFENSE EXPENDITURES ABROAD FOR GOODS AND SERVICES, BY MAJOR CATEGORY[1]

[In millions of dollars]

	1960	1961	1962	1963	1964	1965	1966	1967	1968	January–June 1969
Total[2]	3,087	2,998	3,105	2,961	2,880	2,952	3,764	4,378	4,530	2,412
Department of Defense expenditures[3]	2,722	2,694	2,839	2,765	2,755	2,894	3,718	4,367	4,521	2,406
Expenditures by U.S. personnel and by military exchanges, clubs, etc.	806	772	829	843	954	1,050	1,256	1,391	1,502	791
U.S. military and civilian personnel and dependents	418	460	484	472	561	623	738	799	871	453
Military exchanges and other nonappropriated fund agencies	388	312	345	371	393	427	518	592	631	338
Construction	166	152	110	92	106	152	353	382	275	140
Equipment	56	59	79	84	88	75	145	197	199	112
Materials and supplies	551	579	589	510	427	453	592	721	805	444
Foreign citizens (direct and contract hire)	363	388	414	429	409	422	482	558	580	317
Other services and unallocated	466	490	522	536	570	589	754	993	1,052	553
NATO infrastructure	117	50	85	56	55	41	46	49	55	19
Military assistance program offshore procurement	148	147	143	151	89	57	40	30	16	7
Military assistance program services	49	57	68	64	57	55	50	46	37	23
Atomic Energy Commission defense expenditures	365	301	262	188	118	49	36	2		
Coast Guard expenditures	(4)	3	4	8	7	9	10	9	9	6

[1] For quarterly data see line 16, table 1, of the quarterly U.S. balance-of-payments presentations in the Survey of Current Business.

[2] This series differs from the series maintained by the Department of Defense which includes expenditures for retired pay, claims, grants of cash to foreign countries, and net changes in Department of Defense holdings of foreign currencies purchased with dollars. These transactions are included in other entries in the quarterly balance-of-payments presentation in the Survey of Current Business.

[3] Data by category differ from the series maintained by the Department of Defense in certain instances, e.g. (1) Department of Defense includes permanent change of station and per diem allowances in the category "Expenditures by U.S. personnel" beginning with the last half of 1967, whereas they are included here in the category "Other services and unallocated"; and (2) Department of Defense data do not include expenditures for equipment from operation and maintenance appropriations in the category "Equipment" beginning with 1965, whereas they are included here as "Equipment" through 1967, and "Materials and supplies" thereafter.

[4] Not shown separately.

Source: U.S. Department of Commerce, Office of Business Economics, from information made available by operating agencies.

TABLE 2.—DEFENSE EXPENDITURES ABROAD FOR GOODS AND SERVICES, BY MAJOR COUNTRY

[In millions of dollars]

	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969 January–June
Total	3,087	2,998	3,105	2,961	2,880	2,952	3,764	4,378	4,530	2,412
Western Europe	1,652	1,531	1,633	1,523	1,492	1,468	1,535	1,616	1,533	797
Belgium/Luxembourg	28	12	16	12	11	12	14	35	37	21
Denmark/Greenland	51	37	34	42	36	40	37	36	34	18
France	274	286	268	243	218	208	206	97	25	10
Germany	649	636	749	691	694	714	770	837	877	454
Greece	19	18	20	27	28	31	24	26	28	13
Iceland	14	14	12	10	11	13	17	24	18	7
Italy	116	97	114	93	102	102	106	102	103	65
Netherlands	37	28	34	31	40	41	43	49	41	19
Norway	17	14	15	14	24	24	28	38	32	7
Spain	64	54	52	49	45	45	50	48	42	21
Switzerland	9	6	5	8	10	11	10	12	10	6
Turkey	57	54	55	50	58	42	49	48	51	22
United Kingdom	287	225	197	184	173	154	146	210	172	106
Other and unallocated	30	50	62	69	38	31	35	54	63	28
Canada	387	357	326	296	258	177	205	232	285	155
Latin American Republics	59	57	76	79	86	89	91	102	105	55
Other Western Hemisphere	89	100	87	92	94	80	68	81	83	38
Bermuda	13	14	14	14	10	8	9	11	8	4
Netherlands Antilles	60	63	53	51	54	33	21	43	44	20
Trinidad and Tobago	12	20	17	21	24	32	29	19	22	10
Other and unallocated	4	3	3	6	6	7	9	8	9	4
Australia, New Zealand, and South Africa	75	98	103	105	103	57	59	29	33	21
Other countries	825	855	880	866	847	1,081	1,806	2,318	2,491	1,346
Bahrein	36	43	39	35	31	36	38	56	61	32
Japan	412	392	382	368	321	346	484	538	581	320
Korea	94	112	103	90	91	97	160	237	301	178
Morocco	26	21	18	16	7	4	5	6	5	3
Philippines	47	49	51	46	58	81	147	167	169	90
Ryukyu Islands	78	93	96	97	115	123	150	188	202	104
Saudi Arabia	42	45	44	43	37	36	51	53	91	45
Taiwan	25	23	22	20	21	21	60	70	76	42
Thailand	5	8	30	27	34	70	183	286	318	139
Vietnam	[1]7	[1]12	[1]37	52	64	188	408	564	558	303
Other and unallocated	53	57	58	72	68	79	120	153	129	90

[1] Includes Cambodia and Laos.

Note: See table 1 for other notes.

Source: U.S. Department of Commerce, Office of Business Economics, from information made available by operating agencies.

TABLE 3.—U.S. GOVERNMENT RECEIPTS UNDER MILITARY SALES PROGRAMS, COMMERCIAL SALES UNDER GOVERNMENT-TO-GOVERNMENT AGREEMENTS, AND BARTER SALES ARRANGED TO FINANCE PURCHASES OF THE DEPARTMENT OF DEFENSE AND THE ATOMIC ENERGY COMMISSION

[In millions of dollars]

	1960	1961	1962	1963	1964	1965	1966	1967	1968	1969 January–June
Total [1]	323	549	1,392	1,243	1,216	1,326	1,280	1,421	1,383	778
U.S. Government cash receipts associated with military sales contracts [2 3]	319	399	1,139	994	987	1,080	927	1,023	974	564
Barter sales of agricultural products arranged to finance purchases of:										
Department of Defense [4]				8	35	109	141	226	200	90
Atomic Energy Commission [4]	(5)	(5)	(5)	(5)	(5)		28	2		
Commercial sales under government-to-government agreements [4 5 6]	4	150	253	241	194	137	184	170	209	124

[1] Does not include certain Department of Defense and Export-Import Bank collections on credits financing commercial sales of military equipment and does not include interest collections on credits financing Department of Defense sales which are included in the series on U.S. defense receipts maintained by the Department of Defense. These transactions are included in other entries in the quarterly balance of payments presentations in the Survey of Current Business.

[2] For quarterly data see line B. 3, table 5, of the U.S. balance of payments presentations in the Survey of Current Business.

[3] U.S. Government cash receipts include principal repayments on credits financing military sales contracts and are net of refunds.

[4] Included as part of the data shown in line 3, table 1, of the quarterly U.S. balance-of-payments presentations in the Survey of Current Business.

[5] Not available.

[6] Includes available data for commercial sales of military equipment under government-to-government agreements.

Source: U.S. Department of Commerce, Office of Business Economics, from information made available by operating agencies.

MARCH 12, 1970.

Hon. MELVIN R. LAIRD,
Secretary, U.S. Department of Defense, Washington, D.C.

DEAR MR. SECRETARY: I understand that the Department of Defense is now implementing a program known as REDCOSTE ("Reduction of Costs, Europe") which was first developed in the summer of 1968. According to testimony by Maj. Gen. George S. Boylan before the Department of Defense Subcommittee of the House Committee on Appropriations on April 22, 1969, Redcoste: "stems from a Department of Defense survey of forces and support elements in Europe, all three services—Army, Navy, Air—last summer. The defense team visited installations and looked at the relationship of the support overhead to the combat posture, and concluded that, in fact, savings could accrue in Europe through consolidations, eliminations, and changes." (Hearings, p. 753)

Earlier, former Defense Secretary Clark M. Clifford described the program as: "a number of measures designed to tighten up further our force structure in Europe so as to ease, to the extent feasible, our balance of payments and budgetary problems. What are involved here are consolidations and relocations of certain force elements and command and support activities within NATO; reductions in administrative personnel at major headquarters and in personnel support activities, such as communications, post exchanges, recreation facilities, etc.; and the elimination of overlapping and duplication generally." (Posture Statement, January 15, 1969, p. 71)

In your statement before the House Armed Services Committee on March 27, 1969, you announced that the Redcoste program for Fiscal Year 1970 was being cut back:

"The original fiscal year 1970 budget anticipated savings of about $160 million from this effort. We have reexamined the impact of the fiscal year 1970 Redcoste program and are convinced it is somewhat too ambitious in the time frame contemplated. The Army and Air Force in particular cannot implement the program on the schedule originally planned. Accordingly, we propose to restore $17 million of the $56 million deleted from the Army budget under Redcoste, and $19 million of the $88 million deleted from the Air Force budget." (Hearings, p. 1760)

In an article in the New York *Times* of January 26, 1969, William Beecher reported that the original Redcoste plan called for a force reduction of 35,000 to 40,000 men, with an annual saving of $200 million in overseas expenditures and $400 million in the budget.

With inflation at the highest level since the Korean War, and with a balance of payments deficit approaching $7 billion a year, I think it is imperative that the Redcoste program be fully implemented at the earliest possible date.

The testimony of Maj. General Boylan last April, a portion of which is cited above, indicates that there is opposition, at least within the Air Force, to full implementation of Redcoste.

Accordingly, I would appreciate receiving answers to the following questions:

1. What measures were recommended by the original Redcoste study prepared by the Office of the Secretary of Defense? What was the estimated budgetary and overseas expenditure saving for each measure recommended?

2. Which of these recommendations were implemented in Fiscal Year 1969?

3. Which of the recommendations were approved in the Fiscal Year 1970 budget as prepared by Defense Secretary Clark Clifford? As modified by you?

4. Which of the original Redcoste study recommendations remain unimplemented?

5. Which of the recommendations not yet implemented do you plan to implement in the future?

I would like to receive as much of this information as possible in unclassified form. If it is necessary to classify it, please give the reasons for classification.

If possible, I would like to have the answers to these questions by March 25.

Sincerely,

HENRY S. REUSS.

CONSTITUENTS FIGHTING MAD

The SPEAKER pro tempore. Under a previous order of the House the gentleman from Michigan (Mr. O'HARA) is recognized for 15 minutes.

Mr. O'HARA. Mr. Speaker, my constituents are fighting mad about the high cost of living, and they have every right to be. This is particularly true for the scandalous rise in the price of beef the first year of this administration.

Mr. Speaker, I believe it is about time that this administration does something to aid the consumer besides talk and hand wringing. He could increase their buying power with the stroke of a pen, simply by eliminating the import quotas on beef. Experts have testified this could significantly reduce the price of processed beef.

Accordingly, I have written the President and advised him to take immediate action to eliminate these beef import quotas. Let us see if his actions match his words.

I request that my letter to the President be printed in the RECORD.

The letter follows:

MARCH 13, 1970.

DEAR MR. PRESIDENT: In recent months you have repeatedly emphasized the devastating effect inflation is having on millions of American families. Your verbal concern for the middle-class American is noteworthy, yet your actions have done very little to aid the consumer.

Your Administration voiced disapproval of the tax reform measures that increased the personal exemption, claiming that it gave too much tax relief to individuals. Yet you hardly rallied to the cause of those attempting to make the major oil companies pay a fair share of taxes.

You vetoed the HEW–Labor Appropriations Bill, which will undoubtedly place more pressure for support of schools upon the local taxpayer, yet you left it to Congress to take the major initiative in cutting Federal expenditures for defense.

Many of us in Congress feel strongly that the brunt of the war on inflation should be borne by those most able to afford it, not the poor and middle-class family on a fixed budget.

One superb example of this inequity is the scandalous rise in the price of beef during the first year of your Administration. The statistics are unquestionable, whether we refer to those provided by the Bureau of Labor Statistics, the Economic Research Council of the Department of Agriculture, or by Hendrik Houthakker, member of your own Council of Economic Advisors. In spite of the slight decline after the disastrous month of July in which the retail prices for the principal cuts of beef were 17 percent higher than a year earlier, the yearly figures show that retail prices were between 9 and 13 percent higher during 1969 than the year before.

Furthermore, figures released by the Department of Labor and Department of Agriculture indicate this trend is continuing in 1970. In fact, if the rise for January is indicative, 1970 will be worse than 1969.

Mr. President, the price of hamburger rose 7 cents a pound during the first year of your Administration.

In spite of the rising price of choice cuts of beef, the differential between hamburger and prime cuts is getting smaller. Houthakker reports that in October 1969 the retail price of hamburger had risen more than any other reported kind of beef.

These exorbitant prices for beef cut deeply into the American family budget. Surely, this is an area in which you can take direct action to ease the impact of inflation on the

American consumer. In fact, one obvious area of action lies with the beef import restrictions provided for in an Act of 1964. As you know, the major cause of spiralling beef prices is the lack of an adequate domestic supply. Hence, it is obvious that *any* increase in the beef imports would make *some* contribution to lowering prices.

Yet, once again your actions have worked against the consumer, the tax-paying citizen. The "voluntary restraints" negotiated by the Administration with most of the exporting countries, have effectively limited the amount of beef imported into this country. This limitation on the imported processed meat has kept hamburger short in supply and hence high in price.

The cattlemen of this country are quite pleased with your actions in this matter, but the American housewife might have quite another thing to say.

Mr. President, the law is quite clear with respect to your prerogative in this matter. Public Law 88-482 clearly states that "The President may suspend any proclamation . . . or increase the total quantity proclaimed . . . if he determines and proclaims that . . . the supply of articles of the kind described . . . will be inadequate to meet domestic demand at reasonable prices . . ."

Hence, Mr. President, under the law you are authorized to lower or eliminate import quotas on beef if you determine that the prices are too high because of inadequate domestic supply. Surely, neither you nor anyone in your Administration will deny that such is the case today.

The time has come for you to match the concern of your words with appropriate action. The price of beef is sky-high, and you have the power to bring it somewhere closer to earth. I call on you to immediately ease or eliminate the import quotas on beef so that we can once again afford to eat hamburger.

Very truly yours,

JAMES G. O'HARA,
Member of Congress.

LEGISLATION TO ABOLISH THE DRAFT

The SPEAKER pro tempore. Under a previous order of the House the gentleman from New York (Mr. FARBSTEIN) is recognized for 20 minutes.

Mr. FARBSTEIN. Mr. Speaker, I have today introduced for myself, Congressman PHILIP CRANE, and 27 other Members of the House of Representatives a resolution to establish a volunteer army.

More than any other single item, the draft has become the symbol of the gap between the generations and the major source of friction in our society. This was demonstrated dramatically in the January Harris poll which found an overwhelming belief among those under 30 that the draft was wrong.

The draft is inherently inequitable since it imposes an undue burden of service on some, while leaving others totally free from any obligation. All too often, it is the poor that have had to bare the burden of this terrible inequity.

Partial reforms of the draft system does not appear to be the answer. The experience of the draft lottery enacted by the Congress last fall dramatically demonstrate this. The lottery was supposed to eliminate the uncertainty of the oldest first system. All that it has done is to replace that uncertainty with the uncertainty of whether your number will come up.

Left untouched by this reform has been the system of local draft broads able to make nonuniform decisions on who is eligible and who is not. These boards continue to enjoy arbitrary powers with regard to deciding the validity of the moral and religious reservations of draftees. It is these inequities which have led thousands of our young men to flee this country and become refugees in foreign lands.

It is way past the time that we got down to the business of putting through some real reforms in the Selective Service System, and got beyond superficial changes.

And the greatest inequity is the draft system itself.

The draft is a nonvolunteer period of servitude to begin with, and its method of operation, the current process of registration and classification, is a tremendous infringement upon the loves of all those who fall under its power.

The recent report of the President's Commission on an All-Volunteer Armed Force, chaired by former Secretary of Defense, Thomas Gates, has demonstrated not only the feasibility of an all-volunteer army, but its desirability to our society. The Commission has also dealt effectively with the specific concerns that bothered many about a volunteer army. It is to be noted that the majority of the Commission members began their work in opposition to the concept of a volunteer army. Through their extensive examination of this area, they unanimously endorsed the final report of the Commission which called for the establishment of a volunteer army by June 1971, with a standby draft that can be reinstated only upon joint resolution of Congress following a recommendation of the President.

The Commission found that an all volunteer army would cause only a small budget increase, and would actually be cheaper in real economic terms; could be achieved by July 1971 without affecting our ability to meet existing and anticipated troop level requirements; would be adequate to defend the Nation, and that a peacetime draft is not required to protect the Nation in case of a sudden attack; is not more isolated from society than the present mixed force; and would not vary greatly in ethnic, racial or economic makeup from the present system.

While the Gates Commission has demonstrated the feasibility of ending the draft, if this system which grinds up the young and the poor is to be eliminated, the Congress is going to have to provide the leadership and act now. Too many Presidential commission reports have been relegated to the scrap heap once the rhetoric of initial public reaction subsided. I hope this will not happen here.

The resolution I have introduced demonstrates the broad based support for a volunteer army within the House of Representatives. Among the 29 sponsors are Congressmen representing all shades of the political spectrum, including Members of both political parties and coming from almost every part of this country. The breadth of support for this resolution demonstrates the political feasibility of the establishment of a volunteer army.

The House Armed Services Committee will be considering the general area of the draft. I hope that the introduction of this resolution will serve to encourage the committee to consider the question of a volunteer army, and to act favorably on its establishment.

The resolution calls for an end to compulsory military service after July 1, 1971 and permits its reinstatement only upon request of the President and approval of both Houses of Congress.

The full text of the resolution and list of the sponsors follows:

H. CON. RES. 543

Concurrent resolution expressing the sense of Congress with respect to the establishment of all-volunteer Armed Forces

Whereas, the United States has relied throughout its history on a voluntary armed forces except during major wars and since 1948; and

Whereas, a voluntary armed force is a system for maintaining standing forces that minimizes government interference with the freedom of the individual to determine his own life in accord with his values; and

Whereas, an all-volunteer force will promote the efficiency of the armed forces, and enhance their dignity: Now, therefore, be it

Resolved by the House of Representatives (the Senate concurring), That it is the sense of Congress, in accord with the conclusions of the President's Commission on an All-Volunteer Armed Force which recommend a workable framework for meeting military personnel requirements, that—

(1) compulsory military service should be abolished and a volunteer armed force established when the power to induct individuals under the Military Selective Service Act of 1967 expires after July 1, 1971; and

(2) compulsory military service should be reestablished only by Congress at the request of the President.

SPONSORS OF RESOLUTION

Leonard Farbstein, Democrat, of New York.
Philip Crane, Republican, of Illinois.
Mark Andrews, Republican, of North Dakota.
George E. Brown, Jr., Democrat, of California.
Daniel E. Button, Republican, of New York.
Shirley Chisholm, Democrat, of New York.
Don H. Clausen, Republican, of California.
Don Edwards, Democrat, of California.
Barry M. Goldwater, Jr., Republican, of California.
Seymour Halpern, Republican, of New York.
Michael J. Harrington, Democrat, of Massachusetts.
James F. Hastings, Republican, of New York.
Ken Hechler, Democrat, of West Virginia.
Margaret M. Heckler, Republican, of Massachusetts.
Edward I. Koch, Democrat, of New York.
Allard K. Lowenstein, Democrat, of New York.
Robert McClory, Republican, of Illinois.
Spark M. Matsunaga, Democrat, of Hawaii.
Alvin E. O'Konski, Republican, of Wisconsin.
Richard L. Ottinger, Democrat, of New York.
Jerry L. Pettis, Republican, of California.
Thomas F. Railsback, Republican, of Illinois.
Fred B. Rooney, Democrat, of Pennsylvania.
Garner E. Shriver, Republican, of Kansas.
M. Gene Snyder, Republican, of Kentucky.

William A. Steiger, Republican, of Wisconsin.

Charles M. Teague, Republican, of California.

William B. Widnall, Republican, of New Jersey.

John M. Zwach, Republican, of Minnesota.

THE TIDE OF MILITARY SPENDING IS RECEDING AT LAST

(Mr. HALL asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous material.)

Mr. HALL. Mr. Speaker, though some narrowly partisan attempts have been made to descredit President Nixon by linking him with an alleged, or more properly misnamed "military-industrial complex," or by trying to blame him for the Vietnam war, the facts of this matter speak loudly for themselves.

The facts are, Mr. Speaker, that it has taken this Republican President to change the course our Nation had been following for the past several years: to begin bringing our troops home from Vietnam, to lay out the facts regarding our military commitments clearly before the American people, and to reverse the trend of what had been ever-increasing defense spending.

An editorial from the Kansas City Times recognizes the President's achievement in beginning this reversal, and discusses some of the difficulties he faced in doing so. Let us be sure we do not become second-vote defensively. I insert this editorial in the RECORD:

[From the Kansas City Times, Feb. 4, 1970]

THE TIDE OF MILITARY SPENDING IS RECEDING AT LAST

Defense spending is turning downward after five years of relentless rising because of Vietnam. That is the main import of the President's recommendations on what remains by far the biggest single slice of the national budget. The President proposes to spend 71.2 billion dollars or approximately 10 billion less than the Johnson administration projected one year ago as the cost of national security for fiscal 1971.

President Nixon regards this as an achievement for his administration. Much more will be said by the Republicans on that score before the congressional elections next November. The Democrats may also do some whacking away at the Pentagon requests approved by the White House, especially on new weapons systems being sought. One result could be a further reduction in defense spending to around the 70-billion-dollar level.

Even without that much trimming, however, Mr. Nixon calculates that his proposal represents 36.6 per cent of the total budget, a smaller percentage than in any year since 1950. But only a change in the budget's format that was introduced a few years ago makes such a claim possible. Under the old format the allocation for defense in all categories would still be close to half of the total.

The Nixon administration could have cut defense spending deeper if it had not determined to ask for part financing of certain weapons programs that were deferred during the time of much heavier outlays for Vietnam. These include development of a new Air Force bomber, some shipbuilding and extensive replacement of the first generation of Minuteman long-range missiles by a new model armed with multiple warheads.

The budget message held back full details on the President's decision to move ahead with both the first and second phases of the Safeguard antiballistic missile system (for which 1.49 billion dollars was recommended). Mr. Nixon's announcement on his Safeguard plans was surprising since he had said last year that an annual review of the ABM's effectiveness would precede any further action on the Safeguard program. No results of such a review have been made known. But Melvin R. Laird, secretary of defense, is scheduled to reveal details of an ABM expansion in less than a month. The administration's rationale on this particularly controversial weapons project may then become clear.

It is probably not as generally understood as it should be that the pay and upkeep of servicemen account for well over one-third of all military costs. Military "hardware" is a lesser item. Thus the big cut ahead will be made possible through slashing uniformed strength from its level of 3.45 million last summer to 2,908,127 by June 30, 1971.

The President and Secretary Laird are believed to be aiming for a level of 2.5 million—or less—by the next presidential election in 1972. New emergencies could alter these plans. But continuing withdrawals from Vietnam seem virtually certain regardless of how well the Vietnamization program goes.

President Nixon is obviously satisfied with the manner in which he has gone about reversing the trend of military spending. His more partisan critics will contend that he should do even better. But there is a new point of view on how much is required to defend the United States—and a truly impressive start on cutting back the cost of it is in sight.

INFLATION

(Mr. DEVINE asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous material.)

Mr. DEVINE. Mr. Speaker, the problems facing our Nation, both foreign and dor..estic, are complex and varied. But an underlying problem, which affects all the others, is that of inflation.

A perceptive editorial from the Kansas City Star discusses the President's attempts to control this inflation, by presenting a sound, balanced budget, and the important responsibility of the Congress to maintain that balance as they deliberate on the final budget. I insert this editorial in the RECORD:

[From the Kansas City Star, Feb. 3, 1970]

CONGRESS AND THE CRUCIAL MATTER OF KEEPING THE BUDGET BALANCED

By instinct Richard M. Nixon is a President who would propose a balanced budget—if the state of the world and nation, the conditions of the economy and the needs of the day permit it. But more than instinct was involved in preparation of the budget that went to Congress yesterday, it was a labor of necessity, an absolute imperative in the context of inflation. A deficit budget proposed by the administration at this time would have been the beginning of disaster.

So the tentative budget for the fiscal year beginning July 1 is balanced, shakily and at the record level of 200.8 billion dollars in spending. While Congress can and will debate the matter, and no doubt will cut here and add there (as it should), a budget unbalanced by legislative action would also court trouble. This nation simply cannot afford a continuation of the pattern of inflation.

In effect, that was what the administration was saying in both the economic report and in the budget itself. The priority is slow inflation. Let's not kid ourselves: A balanced budget (or a small surplus) by itself is not going to do that. A large surplus might, rather quickly. But that is not possible. So Mr. Nixon is left with only a part cure, which is his small surplus. Its chief effect at this point has to be in the psychological impact. The mere submission of such a budget is a blow on behalf of the dollar.

Submission of the budget, of course, was really only step No. 1. Overwhelmed as everyone must be by the size and scope of a federal budget, quick judgment on all of its many parts is virtually impossible. Mr. Nixon has attempted to reorder certain priorities, and in theory gives precedence to seven "most urgent" domestic needs. It will be interesting to see how Congress reacts to that menu. Two—initial appropriations for the President's proposed new welfare system and the launching of federal revenue-sharing—are by no means certain of winning legislative approval. It is risky to bet on Capitol Hill's willingness to reform, particularly in an election year.

Other programs on the list deal with pollution, crime, food assistance, transportation and manpower training. Pollution and crime legislation in particular are likely to be very big this year. Congress may be tempted to raise the ante for each.

In another area, Mr. Nixon whacked rather heavily into the defense budget. Congress, judging by the mood it has been in lately, may want to go further. Foreign aid is scheduled for another cutback, and Congress is not likely to reverse the trend of the last few years. But a little serious contemplation of the meaning of foreign aid in terms of today's problems might be in order. This may be one of the more risky places for economy.

At this point, however, only the administration has had the problem of putting it all together. We suspect that this was done with the basic and unchanging assumption that a balanced budget was essential. It was, and is—no doubt about that.

But that which is balanced in February has a long route to travel on Capitol Hill. Congress may reject some of the proposed new sources of revenue, one of which, a speed-up in collection of excise and income taxes, is a onetime gimmick. Congress may also have some other ideas on priorities and may regard rather dimly some of Mr. Nixon's decisions—on education, for example, where the budget would simply hold the line in a time of concern over the financing of the schools at all levels.

The debate and final action will take place in an election year, and the work will be done by an institution—Congress—which has become notoriously inefficient and shortsighted in dealing with money bills. (After all, it is still wrestling with one major money bill for the present fiscal year.) That is not the most comforting thought in the world as the legislators begin the critical task of considering Mr. Nixon's budget which, in the beginning, is balanced and by all means should stay that way.

TAKE PRIDE IN AMERICA

(Mr. MILLER of Ohio asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous material.)

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. The United States is the largest producer of fruit in the world. In 1967, the United States produced 127,650,000 boxes of oranges and tangerines. This was about one-fourth of the world total and nearly twice as much as produced by Spain, the second leading nation. Also,

42,700,000 boxes of grapefruit were produced in the United States. This was 72 percent of the world total and six times more than produced by Israel, the second leading nation.

COMMUNITY SUPPORT FOR PRETRIAL DETENTION

(Mr. HARSHA asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HARSHA. Mr. Speaker, this week the House will take up the District of Columbia Court Reform and Criminal Procedure Act of 1970. Included among the provisions in this important bill is a chapter authorizing the limited pretrial detention of dangerous defendants.

Although the experience under the Bail Reform Act of 1966 demonstrates beyond question the need for new legislation, pretrial detention remains controversial. The District Committee considered the issue in depth and with great care, and we drafted the legislation we thought was needed.

One of the most cogent and lucid statements of why pretrial detention is so urgently necessary for the District at this time was issued by the advisory panel against armed violence. In late September of last year, the Senator from Maryland (Mr. TYDINGS) asked 13 leading citizens of Washington to advise him, as chairman of the Senate Committee on the District of Columbia, on the steps which could be taken to reduce violent crime. In December, the panel, which was headed by Judge Alfred Burka of the District of Columbia court of general sessions, submitted its report. Other members of the panel included:

Frederick H. Evans, past president of the Washington Bar Association.

William T. Finley, Jr, former Assistant Deputy Attorney General of the United States.

Thomas A. Flannery, U.S. Attorney General for the District of Columbia.

Herbert J. Miller, Jr., chairman, 1966 President's Commission on Crime for the District of Columbia.

Paul Miller, dean, Howard University School of Law.

Luke Moore, former chief marshall for the District of Columbia.

H. Carl Moultrie, past president, NAACP, District of Columbia chapter.

Tilmon O'Bryant, Deputy Chief of the Metropolitan Police Department.

William E. Rollow, secretary and general counsel, National Capital Area Council of Sportsmen, and president, District of Columbia Skeet Shooting Association.

James C. Slaughter, Director of the District of Columbia Human Relations Commission.

Quinn Tamm, executive director, International Association of Chiefs of Police.

Joseph P. Yeldell, member, District of Columbia City Council.

The panel concluded, with one dissenting vote, that "pretrial detention offers an immediate response to armed violence and adds long-range rationality to our criminal justice system."

I quote in full pages 17, 18, and 19 of the report of the advisory panel against armed violence and commend the discussion to the House membership:

PRETRIAL DETENTION AND SPEEDY PROSECUTION

Armed violence in the District of Columbia is being aided and abetted by the inadequate operation of our criminal justice system.

At present, justice is neither swift nor certain. Persons who are apprehended for crimes of violence remain at liberty for eight months to a year. Many of them commit additional offenses with virtual impunity knowing that they will again be released on bail after the second or third offense; that the offense committed on bail will not be reached for trial for a year or so; that the sentence, if any, will probably be concurrent; and that fugitivity in the District of Columbia is a fairly secure status which can postpone the day of reckoning for many more months.

The net effect of these circumstances is tragic. The public is victimized again and again—almost without recourse. The work of the police is undercut and correctional efforts are severely impeded.

Action is imperative. In the view of this panel, we cannot await long-range remedies. We must take steps which will have immediate effect in abating armed violence.

For reasons developed more fully below, we urge:

Enactment of bail legislation to permit pretrial detention of certain defendants who pose a danger to the community,

Accelerating the disposition of cases of armed violence by expanding the individual calendar program, by prompt indictment, by decreasing time for mental exams and by speedier sentencing procedures,

Expedited appeal in cases of persons charged with more than one crime of violence,

Development of better procedures to supervise persons on bail and to secure the return of persons who become fugitive, and

Enactment of court reorganization legislation together with the proposed increases in judicial manpower and the creation of a court executive.

PRETRIAL DETENTION

There is no doubt that accused felons free on bail while awaiting trial commit a significant part of the serious crimes in this city. Judicial Council Committee studies indicate that one of every 11 defendants who is indicted and released on bail is reindicted for another felony while awaiting trial. The police report that one out of every three armed robbery suspects released on bail is arrested for another offense before he comes to trial.

Further, it appears that persons involved in certain types of crime have a much higher rate of recidivism. Specifically, the District of Columbia Crime Commission found that persons charged with robbery, burglary and narcotics offenses were more frequently indicted for additional crimes on bail than were persons charged with other offenses.

Most recently, Police Chief Jerry Wilson has highlighted the bail problem. He reported to the President that there are about 100 professional hold-up men in the District of Columbia who are repeatedly released on bail and commit additional hold-ups. In his view, legislation authorizing pretrial detention of such persons is *item number one* on any list of action to abate armed violence. In fact, he states that if 300 dangerous criminals were removed from the streets, we could "almost cure" the problem of armed violence in Washington.

However, under existing law, there is virtually no way to remove these dangerous persons from the street in any less than eight months or a year. First, the Bail Reform Act of 1966 requires the release on bail of all defendants not involved in capital crimes no matter how dangerous. The only factor which the court may consider in setting bail is the likelihood that the defendant will flee. Second, the court system is so backlogged that crimes of violence can not be prosecuted promptly. In fiscal 1968, it took an average of nine months for bank robbery cases to come to trial, an average of eight and one-half months for robbery cases to come to trial, an average of nine and one-half months for aggravated assault cases to come to trial, an average of ten months for second degree murder cases, and an average of fourteen months for first degree murder cases.

In view of this Panel, the only immediate recourse is enactment of legislation to authorize pretrial detention of certain persons who pose a serious danger to the community. We endorse legislation which will authorize pretrial detention of hard core dangerous criminals who are awaiting trial for armed crimes. Detention should be imposed in cases where the defendant's record for violence indicates high probability of additional crimes of violence if released on bail. Further, it is absolutely essential that any system of pretrial detention include all appropriate Constitutional safeguards. Finally, detention shall not exceed 60 days.

Pretrial detention is not a "cheap" solution to the crime problem. Properly limited, it is a Constitutional, realistic approach to our crime problem. First, it takes cognizance of the fact that even if speedy trials are provided, there are still persons who pose a great danger to the community if released on bail for any period of time. Second, it recognizes that our present system of justice will not be speeded up overnight. New facilities, new judges, etc., will be slow in coming. In addition to other personnel, an adequate public defender system should be established to insure adequate representation for the defendants. Finally, pretrial detention is a realistic way to deal with repeated crime in a system which encourages delay. Speedy trial efforts simply have limited efficacy in a system where delay is often the best trial strategy.

In sum, pretrial detention offers an immediate response to armed violence and adds long-range rationality to our criminal justice system.

UNITED STATES TO CLOSE CONSULATE IN RHODESIA

(Mr. GROSS asked and was given permission to extend his remarks at this point in the RECORD and to include pertinent additional material.)

Mr. GROSS. Mr. Speaker, in his state of the Union message before a joint session of Congress only 2 months ago, President Nixon said:

We shall reduce our involvement and our presence in other nation's affairs.

Yet on tomorrow, playing the role of a stooge for the British, President Nixon is scheduled to plunge the U.S. Government deeper into trouble with Rhodesia by closing the U.S. consulate and severing diplomatic relations with that friendly nation which 2 weeks ago declared its independence from Britain.

Does the President mean what he says about involvement? If so, why should the United States give anything but the back of its hand to the British leeches in London? During last year alone these ruthless, blood-money profiteers sent 74 vessels and their cargoes under the British flag into North Vietnamese ports to supply those whose principal business is the killing of Americans.

Incidentally when does President Nixon intend to demand that the British close their consulate in Communist North Vietnam?

Moreover, if the President is severing diplomatic relations with Rhodesia because of internal racial practices or denial of the right to self-determination, he must, if consistent, promptly sever diplomatic relations with Liberia which refuses citizenship to whites; with Australia which refuses admission to nonwhites, and the Soviet Union and its satellites which deny both majority rule and rights of minorities.

The action by the President against the Republic of Rhodesia will be immoral and disgraceful unless it is applied with an even hand to all other nations, large and small, which practices the same denials.

It is interesting to note that Secretary of State William P. Rogers, one of the mainsprings in this diplomatic travesty, has issued a statement in which he says he will "attempt" to have arrangements made where Americans in Rhodesia will have "appropriate assistance" if they need it when the U.S. consulate is closed.

Rogers belated concern for Americans and American interests in Rhodesia is about par for the course in Washington's Foggy Bottom. The Rhodesians had already issued an official statement on March 10, 1970, assuring that the rights of Americans in that country will be fully protected without Rogers' "arrangements."

That statement follows:

The Rhodesian Government was advised formally this morning of the United States Government's intention to close its Consulate General in Salisbury at 1700 hours on March 17th. It is regretted that the American Government has allowed itself to be forced into this decision by the British Government, the consequence of which is that United States citizens will be deprived of United States consular facilities in this country. Rhodesians may rest assured, however, that the closure of the Consulate-General will make no difference at all to Rhodesia or to themselves. The United States Government in closing the Consulate is secure in the knowledge that the interests of their citizens will be safeguarded and their rights protected under our stable Rhodesian law.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. HAGAN (at the request of Mr. ALBERT), for today and tomorrow, on account of official business.

Mr. PICKLE (at the request of Mr. WAGGONNER), for March 12 to March 16, on account of being part of official delegation to United States-Canadian Interparliamentary Union.

Mr. CHARLES H. WILSON (at the request of Mr. JOHNSON of California), for today, on account of official business.

Mr. JONES of Tennessee (at the request of Mr. BLANTON), for today, on account of official business.

Mr. BARRETT (at the request of Mr. BYRNE of Pennsylvania), for March 16, on account of death in family.

Mr. GROVER (at the request of Mr. GERALD R. FORD), for today, on account of influenza.

Mr. CEDERBERG (at the request of Mr. GERALD R. FORD), on account of official business.

Mr. CORMAN, for March 16, on account of official business.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

(The following Members (at the request of Mr. BIESTER); to revise and extend their remarks and include extraneous matter:)

Mr. HOGAN, for 1 hour, today.

Mr. STEIGER of Arizona, for 20 minutes, today.

Mr. FINDLEY, for 20 minutes, today.

Mr. SCHWENGEL, for 15 minutes, today.

Mr. CAMP, for 1 hour, on March 17.

(The following Members (at the request of Mr. MARSH); to revise and extend their remarks and include extraneous matter:)

Mr. FLOOD, for 10 minutes, today.

Mr. LOWENSTEIN, for 30 minutes, today.

Mr. REUSS, for 60 minutes, today.

Mr. GONZALEZ, for 10 minutes, today.

Mr. O'HARA, for 15 minutes, today.

Mr. FARBSTEIN, for 20 minutes, today.

Mr. DENT, for 30 minutes, on March 17.

Mr. GAYDOS, for 30 minutes, on March 17.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. HALEY, immediately prior to the passage of H.R. 12858 today.

Mr. HALEY, immediately prior to the passage of H.R. 12878 today.

Mr. HALEY, immediately prior to the passage of H.R. 14855 today.

Mr. OLSEN, immediately prior to the passage of S. 227 today.

Mr. JOHNSON of California, immediately prior to the passage of S. 2062 today.

Mr. MCCLURE, immediately prior to the passage of S. 2062 today.

Mrs. MAY, immediately prior to the passage of S. 2062 today.

Mr. PHILBIN in five instances and to include extraneous material.

(The following Members (at the request of Mr. BIESTER) and to include extraneous matter:)

Mr. STEIGER of Wisconsin.

Mr. BURTON of Utah in five instances.

Mr. AYRES.

Mr. WYMAN in three instances.

Mr. WEICKER.

Mr. MCCLORY in two instances.

Mr. GUDE.

Mr. CARTER.

Mr. HOGAN.

Mr. GOLDWATER in two instances.

Mrs. MAY in two instances.

Mr. MIZE.

Mr. BROYHILL of Virginia in three instances.

Mr. BURKE of Florida.

Mr. SCHERLE in two instances.

Mr. DERWINSKI in two instances.

Mr. HOSMER in two instances.

Mr. FINDLEY.

Mr. SCHWENGEL in three instances.

Mr. HANSEN of Idaho.

Mr. BROTZMAN.

Mr. SMITH of New York.

Mr. DICKINSON.

Mr. FISH.

Mr. ADAIR.

(The following Members (at the request of Mr. MARSH) and to include extraneous matter:)

Mr. BOLAND.

Mr. SCHEUER.

Mr. FRASER in three instances.

Mrs. GRIFFITHS in two instances.

Mr. ANDREWS of Alabama in two instances.

Mr. RODINO.

Mr. GONZALEZ.

Mr. MATSUNAGA.

Mr. O'HARA.

Mr. BLANTON in four instances.

Mr. MONAGAN in two instances.

Mr. HUNGATE in three instances.

Mr. EVINS of Tennessee.

Mr. ANDERSON of Tennessee in two instances.

Mr. KYROS in three instances.

Mr. MOORHEAD.

Mr. DENT in six instances.

Mr. BROOKS.

Mr. GETTYS in two instances.

Mr. GRIFFIN in two instances.

Mr. HOLIFIELD.

Mr. EVANS of Colorado.

Mr. CAREY.

Mr. WILLIAM D. FORD in four instances.

Mr. VANIK in two instances.

Mr. NICHOLS.

Mr. O'NEILL of Massachusetts in two instances.

SENATE BILL REFERRED

A bill of the Senate of the following title was taken from the Speaker's table and, under the rule, referred as follows:

S. 1181.—An act to provide for potato and tomato promotion programs, to the Committee on Agriculture.

ENROLLED BILL SIGNED

Mr. FRIEDEL, from the Committee on House Administration, reported that that committee had examined and found truly enrolled a bill of the House of the following title, which was thereupon signed by the Speaker:

H.R. 1497. An act to permit the vessel Marpole to be documented for use in the coastwise trade.

SENATE ENROLLED BILL SIGNED

The SPEAKER announced his signature to an enrolled bill of the Senate of the following title:

S. 495. An act for the relief of Marie-Louise (Mary Louise) Pierce.

ADJOURNMENT

Mr. MARSH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 38 minutes p.m.), the House adjourned until tomorrow, Tuesday, March 17, 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:

1773. A letter from the adjutant general, Veterans of Foreign Wars of the United States, transmitting the proceedings of the 70th national convention held in Philadelphia, Pa., August 17-22, 1969, pursuant to the provisions of Public Law 224 of the 88th Congress (H. Doc. No. 91-277); to the Committee on Armed Services and ordered to be printed, with illustrations.

1774. A letter from the Comptroller General of the United States, transmitting the report on the examination of financial statements of the Panama Canal Company for the fiscal years ended June 30, 1969, and June 30, 1968, pursuant to (31 U.S.C. 841) (H. Doc. No. 91-278); to the Committee on Government Operations and ordered to be printed with illustrations.

1775. A letter from the Chairman, Joint Committee on Internal Revenue Taxation, transmitting a report covering refunds and credits of internal revenue taxes for the fiscal year ended June 30, 1967, pursuant to the provisions of section 6405 of the Internal Revenue Code of 1954 (H. Doc. No. 91-279); to the Committee on Ways and Means and ordered to be printed.

1776. A communication from the President of the United States, urging Congress to enact legislation to provide funds relative to home mortgage financing; to the Committee on Banking and Currency.

1777. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a report that the appropriation for the Veterans' Administration for "Medical Care," and for the fiscal year 1970 has been apportioned on a basis indicating a need for a supplemental estimate of appropriation, pursuant to the provisions of section 3679 of the Revised Statutes, as amended (31 U.S.C. 665); to the Committee on Appropriations.

1778. A letter from the Director, Office of Emergency Preparedness, Executive Office of the President, transmitting a draft of proposed legislation, "To amend the provisions of title III of the Federal Civil Defense Act of 1950, as amended"; to the Committee on Armed Services.

1779. A letter from the Assistant to the Commissioner, Government of the District of Columbia, transmitting a draft of proposed legislation, "To authorize the Government of the District of Columbia to fix certain fees"; to the Committee on the District of Columbia.

1780. A letter from the Secretary of Labor, transmitting a draft of proposed legislation to amend the Welfare and Pension Plans Disclosure Act; to the Committee on Education and Labor.

1781. A letter from the Director, Bureau of Land Management, Department of the Interior, transmitting copies of the report of negotiated sales contracts for disposal of materials during the period July 1-December 31, 1969, pursuant to the provisions of Public Law 87-689 (76 Stat. 587); to the Committee on Interior and Insular Affairs.

1782. A letter from the Secretary of Health, Education, and Welfare, transmitting a report relative to national emission standards for stationary sources of air pollution, pursuant to the provisions of section 211(a) of the Clean Air Act, as amended; to the Committee on Interstate and Foreign Commerce.

1783. A letter from the Secretary of Health, Education, and Welfare, transmitting the second annual report of estimates of expenditures for the prevention and control of air pollution, pursuant to the provisions of section 305(a) of the Clean Air Act, as amended; to the Committee on Interstate and Foreign Commerce.

1784. A letter from the Secretary of Health, Education, and Welfare, transmitting the third report on the progress in the prevention and control of air pollution for the calendar year 1969, pursuant to the provisions of section 306 of the Clean Air Act, as amended; to the Committee on Interstate and Foreign Commerce.

1785. A letter from the Chairman, Federal Power Commission, transmitting a copy of the publication entitled "Hydroelectric Power Evaluation, Supplement No. 1, 1969"; to the Committee on Interstate and Foreign Commerce.

1786. A letter from the Chairman, Federal Power Commission, transmitting a copy of the publication entitled "Statistics of Publicly Owned Electric Utilities in the U.S., 1968"; to the Committee on Interstate and Foreign Commerce.

1787. A letter from the Attorney General, transmitting a draft of proposed legislation to amend title 28, United States Code, with respect to judicial review of decisions of the Interstate Commerce Commission, and for other purposes; to the Committee on the Judiciary.

1788. A letter from the Director, Bureau of the Budget, Executive Office of the President, transmitting a draft of proposed legislation to amend the Marine Resources and Engineering Development Act of 1966 to continue the National Council on Marine Resources and Engineering Development; to the Committee on Merchant Marine and Fisheries.

1789. A letter from the Secretary of Health, Education, and Welfare, transmitting a report on the advisory committees that assist the Secretary in carrying out his functions under the Social Security Act, pursuant to the provisions of section 1114(f) of the act, as amended by Public Law 87-543; to the Committee on Ways and Means.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of rule XIII, reports of committees were delivered to the Clerk for printing and reference to the proper calendar, as follows:

(Pursuant to the order of the House on March 12, 1970, the following report was filed on March 13, 1970)

Mr. McMILLAN: Committee on the District of Columbia. H.R. 16196. A bill to reorganize the courts of the District of Columbia, to revise the procedures for handling juveniles in the District of Columbia, to codify title 23 of the District of Columbia Code, and for other purposes; with amendments (Rept. No. 91-907). Referred to the Committee of the Whole House on the State of the Union.

[Submitted March 16, 1970]

Mr. NIX: Committee on Post Office and Civil Service. H.R. 15693. A bill to amend title 39, United States Code, to exclude from the mails as a special category of nonmailable matter certain material offered for sale to minors, to protect the public from the offensive intrusion into their homes of sexually oriented mail matter, and for other purposes (Rept. No. 91-908). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 14385. A bill to provide authority for subsidized transportation for Public Health Service employees affected by the transfer to the Parklawn Building in Rockville, Md., with amendments (Rept. No. 91-909). Referred to the Committee of the Whole House on the State of the Union.

Mr. STAGGERS: Committee on Interstate and Foreign Commerce. H.R. 15733. A bill to amend the Railroad Retirement Act of 1937 to provide a 15-percent increase in annuities and to change the method of computing interest on investments of the railroad retirement accounts; with amendments (Rept. No. 91-910). Referred to the Committee of the Whole House on the State of the Union.

Mr. ANDERSON of Tennessee: Committee on Rules. House Resolution 878. Resolution for consideration of H.R. 13956, a bill to amend the act of October 15, 1966 (80 Stat. 953; 20 U.S.C. 65a), relating to the National Museum of the Smithsonian Institution, so as to authorize additional appropriations to the Smithsonian Institution for carrying out the purposes of said act (Rept. No. 91-911). Referred to the House Calendar.

Mr. YOUNG: Committee on Rules. House Resolution 879. Resolution for consideration of H.R. 15628, a bill to amend the Foreign Military Sales Act (Rept. No. 91-912). Referred to the House Calendar.

Mr. DELANEY: Committee on Rules. House Resolution 880. Resolution for consideration of S. 952, an act to provide for the appointment of additional district judges, and for other purposes (Rept. 91-913). Referred to the House Calendar.

PUBLIC BILLS AND RESOLUTIONS

Under clause 4 of rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES (for himself, Mr. ERLENBORN and Mr. GERALD R. FORD):

H.R. 16462. A bill to amend the Welfare and Pension Plans Disclosure Act; to the Committee on Education and Labor.

By Mr. BOLAND:

H.R. 16463. A bill to amend the Fair Packaging and Labeling Act to require a packaged perishable food to bear a label specifying the date after which it is not to be sold for consumption; to the Committee on Interstate and Foreign Commerce.

By Mr. BRINKLEY:

H.R. 16464. A bill to provide a Federal employee with certain procedural rights if he is removed or reduced in grade as the result of a reduction in force, and to authorize saved pay to be paid to a Federal employee reduced in grade because of a reduction in force due to lack of funds; to the Committee on Post Office and Civil Service.

By Mr. BURKE of Florida:

H.R. 16465. A bill to prohibit the furnishing of mailing lists and other lists of names or addresses by Government agencies to the public in connection with the use of the U.S. mails, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. BYRNE of Pennsylvania:

H.R. 16466. A bill to encourage the growth of international trade on a fair and equitable basis; to the Committee on Ways and Means.

By Mr. CLANCY (for himself, Mr. DEVINE, Mr. KING, and Mr. GOODLING):

H.R. 16467. A bill to amend title 38 of the United States Code so as to provide that monthly social security benefit payments and annuity and pension payments under the Railroad Retirement Act of 1937 shall not be included as income for the purpose of determining eligibility for a veteran's or widow's pension; to the Committee on Veterans' Affairs.

By Mr. CORMAN:

H.R. 16468. A bill to amend title 5, United States Code, to authorize election of health benefits coverage by employees and annuitants for themselves and their spouses at a special rate based on coverage of two persons, and for other purposes; to the Committee on Post Office and Civil Service.

By Mr. DERWINSKI:

H.R. 16469. A bill to amend the Internal Revenue Code of 1954 and title II of the Social Security Act to provide a full exemption (through credit or refund) from the em-

ployees' tax under the Federal Insurance Contributions Act, and an equivalent reduction in the self-employment tax, in the case of individuals who have attained age 65; to the Committe on Ways and Means.

By Mr. FARBSTEIN:

H.R. 16470. A bill to amend the Omnibus Crime Control and Safe Streets Act of 1968 to provide that municipalities having a population of 100,000 or more shall be considered to be "States" for the purposes of participating in certain grant programs authorized under such act; to the Committee on the Judiciary.

By Mr. FREY:

H.R. 16471. A bill to amend the Economic Opportunity Act of 1964 to provide judicial enforcement of certain requirements therein relating to disclosure of information and to consultation; to the Committee on Education and Labor.

By Mr. GIAIMO:

H.R. 16472. A bill to authorize the importation without regard to existing quotas of fuel oil to be used for residential heating purposes in the New England States; to the Committee on Ways and Means.

By Mr. GUDE:

H.R. 16473. A bill to amend the Federal Aviation Act of 1958 to require the Secretary of Transportation to prescribe regulations under which air carriers will be required to reserve a section of each passenger-carrying aircraft for passengers who desire to smoke; to the Committee on Interstate and Foreign Commerce.

By Mr. HELSTOSKI:

H.R. 16474. A bill to amend the Internal Revenue Code of 1954 to allow an incentive tax credit for a part of the cost of constructing or otherwise providing facilities for the control of water or air pollution, and to permit the amortization of such cost within a period of from 1 to 5 years; to the Committee on Ways and Means.

By Mr. HORTON:

H.R. 16475. A bill to amend the District of Columbia Alcoholic Beverage Control Act and for other purposes; to the Committee on the District of Columbia.

By Mr. JACOBS:

H.R. 16476. A bill to make it lawful to set up or fly any kite in the District of Columbia; to the Committee on the District of Columbia.

By Mr. LOWENSTEIN:

H.R. 16477. A bill to assist in reducing crime by requiring speedy trials in cases of persons charged with violations of Federal criminal laws, to strengthen controls over dangerous defendants released prior to trial, to provide means for effective supervision and control of such defendants, and for other purposes; to the Committee on the Judiciary.

H.R. 16478. A bill to assist in combating crime by reducing the incidence of recidivism, providing improved Federal, State, and local correctional facilities and services, strengthening administration of Federal corrections, strengthening control over probationers, parolees, and persons found not guilty by reason of insanity, and for other purposes; to the Committee on the Judiciary.

By Mr. McCULLOCH (for himself, Mr. POFF, Mr. MACGREGOR, Mr. HUTCHINSON, Mr. MCCLORY, Mr. SMITH of New York, Mr. RAILSBACK, Mr. BIESTER, Mr. WIGGINS, Mr. DENNIS, Mr. FISH, Mr. COUGHLIN, and Mr. MAYNE):

H.R. 16479. A bill to amend title 28, United States Code, with respect to judicial review of decisions of the Interstate Commerce Commission, and for other purposes; to the Committee on the Judiciary.

By Mr. MARTIN:

H.R. 16480. A bill to amend the Federal Meat Inspection Act, as amended, to clarify the provisions relating to custom slaughtering operations; to the Committee on Agriculture.

By Mr. MINSHALL:

H.R. 16481. A bill to amend the Gun Control Act of 1968 to require certain records to be kept relating to the sale or delivery of explosives; to the Committee on the Judiciary.

By Mr. OLSEN:

H.R. 16482. A bill to provide for equipment maintenance compensation for the rural mail carrier; to the Committee on Post Office and Civil Service.

By Mr. PELLY:

H.R. 16483. A bill to amend the Land and Water Conservation Fund Act of 1965, as amended, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. PREYER of North Carolina (for himself and Mr. GALIFIANAKIS):

H.R. 16484. A bill to enforce the guarantees of the 14th amendment with respect to the desegregation of public elementary and secondary schools; to the Committee on Education and Labor.

By Mr. PURCELL (for himself, Mr. SMITH of Iowa, Mr. FOLEY, Mrs. MAY, Mr. KLEPPE, Mr. ANDREWS of North Dakota, Mr. NELSEN, Mr. DENNEY, Mr. LANGEN, and Mr. MARTIN):

H.R. 16485. A bill to amend the Federal Meat Inspection Act, as amended, to clarify the provisions relating to custom slaughtering operations; to the Committee on Agriculture.

By Mr. RYAN:

H.R. 16486. A bill to amend the National Traffic and Motor Vehicle Safety Act of 1966 to require the establishment of certain standards relating to power-operated windows; to the Committee on Interstate and Foreign Commerce.

By Mr. TUNNEY:

H.R. 16487. A bill to establish California Coastline National Park, and for other purposes; to the Committee on Interior and Insular Affairs.

By Mr. WHITEHURST (for himself, Mr. SAYLOR, Mr. MARSH, and Mr. DONOHUE):

H.R. 16488. A bill to amend the joint resolution establishing the American Revolution Bicentennial Commission, as amended; to the Committee on the Judiciary.

By Mr. YATES:

H.R. 16489. A bill to amend section 208 of the National Emissions Standards Act to permit States to adopt motor vehicle emission standards more stringent than the Federal standards; to the Committee on Interstate and Foreign Commerce.

By Mr. BROWN of Michigan:

H.R. 16490. A bill to amend title 10, section 1032 of the United States Code relating to the rights and benefits of members of the Armed Forces of the United States; to the Committee on Armed Services.

By Mr. GALIFIANAKIS (for himself and Mr. PREYER of North Carolina):

H.R. 16491. A bill to enforce certain provisions of the 14th amendment of the Constitution as applied to public elementary and secondary schools; to the Committee on Education and Labor.

By Mr. GUBSER:

H.R. 16492. A bill to establish a Commission to encourage, process, and make awards with respect to citizens' suggestions for the improvement of Government operations; and for other purposes; to the Committee on Government Operations.

By Mr. MURPHY of New York:

H.R. 16493. A bill to incorporate the Junior Sea Knights of America, Inc.; to the Committee on the Judicary.

By Mr. RUPPE:

H.R. 16494. A bill to provide for the establishment of a Commission on Marihuana; to the Committee on the Judiciary.

By Mr. VANIK:

H.R. 16495. A bill to amend the Internal Revenue Code of 1954 by imposing a tax on the transfer of explosives to persons who may lawfully possess them and to prohibit possession of explosives by certain persons; to the Committee on Ways and Means.

By Mr. ZABLOCKI (for himself, Mr. REUSS, and Mr. DAVIS of Wisconsin):

H.R. 16496. A bill to authorize certain uses to be made with respect to lands previously conveyed to Milwaukee County, Wis., by the Administrator of Veterans' Affairs; to the Committee on Veterans' Affairs.

By Mr. MIKVA:

H.J. Res. 1134. Joint resolution establishing the Commission on U.S. participation in the United Nations, and for other purposes; to the Committee on Foreign Affairs.

By Mr. DUNCAN:

H. Con. Res. 542. Concurrent resolution expressing the sense of Congress with respect to an all volunteer armed force; to the Committee on Armed Services.

By Mr. FARBSTEIN (for himself, Mr. CRANE, Mr. ANDREWS of North Dakota, Mr. BROWN of California, Mr. BUTTON, Mrs. CHISHOLM, Mr. DON H. CLAUSEN, Mr. EDWARDS of California, Mr. GOLDWATER, Mr. HALPERN, Mr. HARRINGTON, Mr. HASTINGS, Mr. HECHLER of West Virginia, Mrs. HECKLER of Massachusetts, Mr. KOCH, and Mr. LOWENSTEIN):

H. Con. Res. 543. Concurrent resolution expressing the sense of Congress with respect to the establishment of all-volunteer armed forces; to the Committee on Armed Forces.

By Mr. CRANE (for himself, Mr. FARBSTEIN, Mr. MCCLORY, Mr. MATSUNAGA, Mr. O'KONSKI, Mr. OTTINGER, Mr. PETTIS, Mr. RAILSBACK, Mr. ROONEY of Pennsylvania, Mr. SHRIVER, Mr. SNYDER, Mr. STEIGER of Wisconsin, Mr. TEAGUE of California, Mr. WIDNALL, and Mr. ZWACH):

H. Con. Res. 544. Concurrent resolution expressing the sense of Congress with respect to the establishment of all-volunteer armed forces; to the Committee on Armed Services.

By Mr. PODELL:

H. Con. Res. 545. Concurrent resolution expressing the sense of Congress that the United States should sell Israel aircraft necessary for Israel's defense; to the Committee on Foreign Affairs.

By Mr. ROGERS of Florida:

H. Con. Res. 546. Concurrent resolution condemning the treatment of U.S. prisoners of war by the Government of North Vietnam and its allies and urging the President to initiate appropriate action to insure that such prisoners are accorded humane treatment, and to obtain their release; to the Committee on Foreign Affairs.

By Mr. YATES (for himself, Mr. BRASCO, Mr. BROWN of Michigan, Mr. BUTTON, Mr. CLEVELAND, Mr. CULVER, Mr. DIGGS, Mr. FASCELL, Mr. HALPERN, Mr. HANSEN of Idaho, Mr. HUNGATE, Mr. KOCH, Mr. LUKENS, Mr. MOORHEAD, Mr. OLSEN, and Mr. TIERNAN):

H. Con. Res. 547. Concurrent resolution urging the President to determine and undertake appropriate actions with respect to stopping armed attacks on aircraft and passengers engaged in international travel; to the Committee on Foreign Affairs.

By Mr. BINGHAM:

H. Res. 877. Resolution providing for reimbursement of certain travel expenses incurred by the immediate families of Members of the House of Representatives; to the Committee on House Administration.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. COUGHLIN:

H.R. 16497. A bill for the relief of Maj. R. B. Throm, USMC; to the Committee on the Judiciary.

By Mr. HATHAWAY:

H.R. 16498. A bill to permit the sale of the passenger vessel *Atlantic* to an alien, and for other purposes; to the Committee on Merchant Marine and Fisheries.

By Mr. PUCINSKI:

H.R. 16499. A bill for the relief of Miss Emilia Ruffolo; to the Committee on the Judiciary.

By Mr. ROGERS of Florida (by request):

H.R. 16500. A bill for the relief of Jesus Garza Venegas, Jr.; to the Committee on the Judiciary.

By Mr. RUPPE:

H.R. 16501. A bill for the relief of Bienvenido Turla Capul; to the Committee on the Judiciary.

By Mr. WIGGINS:

H.R. 16502. A bill for the relief of Gary W. Stewart; to the Committee on the Judiciary.

MEMORIALS

Under clause 4 of rule XXII, memorials were presented and referred as follows:

By the SPEAKER:

330. A memorial of the Legislature of the State of Idaho, relative to the treatment of prisoners by North Vietnam; to the Committee on Foreign Affairs.

331. Also a memorial of the Legislature of the State of Tennessee, relative to an amendment to the Constitution of the United States regarding the right of citizens to attend the public schools of their choice; to the Committee on the Judiciary.

332. Also, a memorial of the Legislature of the State of Tennessee, relative to amending the Constitution of the United States regarding taxation of income from interest on obligations of other levels of Government; to the Committee on the Judiciary.

333. Also, a memorial of the General Court of the Commonwealth of Massachusetts, relative to helping preserve the textile and apparel industry through international agreement; to the Committee on Ways and Means.

PETITIONS, ETC.

Under clause 1 of rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

415. By the SPEAKER: Petition of the city council of East Orange, N.J., relative to using post office facilities for the registration of voters; to the Committee on House Administration.

416. Also, petition of the city council of Huntington Beach, Calif., transmitting a copy of a resolution expressing respect and gratitude for the exemplary accomplishments of Congressman James B. Utt, deceased; to the Committee on House Administration.

417. Also, petition of Henry Stoner, York, Pa., relative to reducing the voting age to include those aged 18; to the Committee on the Judiciary.

SENATE—*Monday, March 16, 1970*

The Senate met in executive session at 12 o'clock meridian and was called to order by Hon. JAMES B. ALLEN, a Senator from the State of Alabama.

The Chaplain, the Reverend Edward L. R. Elson, D.D., offered the following prayer:

Almighty God, our Father, in whose keeping are the destinies of men and nations, we thank Thee for this good land, born in Thy providence, nourished by Thy grace and strengthened by Thy power. Draw together the diverse populations of city, hamlet and countryside into one united people. Be in our hearts, our heads and our homes. In these turbulent times save us from evasion, from cowardice, and from violence. Order our outward action by an inner righteousness and peace. Nerve us to be firm in the right, ready to be corrected when wrong, always striving for the more perfect way. Teach us how to live for others and so fulfill the law of God. Amen.

DESIGNATION OF ACTING PRESIDENT PRO TEMPORE

The PRESIDING OFFICER. The clerk will please read a communication to the Senate from the President pro tempore (Mr. RUSSELL).

The legislative clerk read the following letter:

U.S. SENATE,
PRESIDENT PRO TEMPORE,
Washington, D.C., March 16, 1970.

To the Senate:

Being temporarily absent from the Senate, I appoint Hon. James B. Allen a Senator from the State of Alabama to perform the duties of the chair during my absence.

RICHARD B. RUSSELL,
President pro tempore.

Mr. ALLEN thereupon took the chair as Acting President pro tempore.

SETTLEMENT—NOT VICTORY—IN VIETNAM

Mr. SYMINGTON. Mr. President, for some reason, in many quarters, things have developed in the country to the point where, in spite of our increasingly serious financial problems, if there is any questioning of any military policy or program, or the cost of either, by any Member of Congress, the now somewhat hackneyed word "dove" is automatically applied to the critic in question.

In this connection, it has long been my privilege to know—and at one time to work with—an outstanding American who has one of the great military records of our history, former Chief of Staff of the U.S. Army, Gen. Matthew B. Ridgway.

I ask unanimous consent that an article by this distinguished public servant in the New York Times of March 14, "Settlement—Not Victory—in Vietnam" be printed in the RECORD; and I would hope that all Members of the Senate, as well as the public at large, would weigh the wisdom of his experienced advice.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

[From the New York Times, Mar. 14, 1970]

SETTLEMENT—NOT VICTORY—IN VIETNAM

(By Matthew B. Ridgway)

Many continue to argue that a military solution, or "victory," in Vietnam has all along been within our reach, that nothing less would serve our interests. I believe such a solution is not now and never has been possible *under conditions consistent with our interests.*

That would have required, and would still require, resort to military measures unacceptable to most of our people. But regardless of past policy decisions, were such a course to be pursued now the divisive influences throughout our land, comparatively quiescent, would be intensified.

The basic decision, which I believe is irrevocable and which was made and announced long ago, was to reduce our operations and to initiate disengagement and withdrawal according to a plan merely outlined.

Whether or not it includes an ancillary decision to complete withdrawal by a fixed date, I do not know, though I assume it does. For reasons of its own—and reasonable ones are not lacking—the Administration has not seen fit to announce it.

Last Nov. 3 the President set forth three conditions that would, he said, determine the rate of our withdrawal: progress in the Paris talks; the character of enemy operations; and the rapidity with which the South Vietnamese Army can assume full responsibility for ground operations. He warned that "if increased enemy action jeopardized our remaining forces," he would "not hesitate to take strong and effective measures," not spelled out but alluded to again in his Jan. 30 press conference.

Adherence to these conditions could result in relinquishing the initiative. Hanoi's stalling in Paris, or Saigon's unwillingness or inability to bring its army up to the requisite level of combat effectiveness, or an escalation of enemy action would then compel a choice between resort to "strong measures"—a reversion, it would seem to me, to the search for a military solution already publicly eschewed—or suspending and even reversing our withdrawal.

NONMILITARY OPTIONS

If this reasoning is sound, then it is relevant to examine our options, should events seem to demand dealing "strongly" with the situation.

We could decide: to halt and subsequently reverse the disengagement process; to resume bombing in North Vietnam on the same scale and against the same target systems as before; to widen the bombing to include key points in power grids, port facilities and utilities, even though located in population centers; to impose a sea blockade of North Vietnamese and Cambodian ports; to invade North Vietnam with ARVN or U.S. ground forces, or both; to use nuclear weapons.

Putting any of these measures into effect could result in: ending hopes for arms control; raising U.S.S.R.-U.S. tensions; causing heavy loss of life among noncombatant North Vietnamese; raising U.S. casualty rates and dollar costs; impairing our capability for quickly responding to other challenges elsewhere; seriously accentuating domestic criticism of Government policy. If there was a land invasion of North Vietnam by U.S. ground forces, the possibility, if not probability, would follow of massive Chinese ground force intervention as occurred under similar conditions in Korea in 1950; and, if nuclear weapons were employed, world and domestic opinion would revolt.

I question that the execution of any of these options would serve our interests. Most of them, I believe, should be rejected. Certainly we should repudiate once and for all the search for a military solution and move