the election likewise be preserved until such time as they may be called for by the Senate, so that no question may arise as to the character of the evidence which the Senate will be called upon to judge. Plaintiff's rights will be irreparably harmed if such evidence is compromised, for which there can be no adequate remedy at law . . . Like Humpty Dumpty, the seals on the ballots cannot be put back together again, if once destroyed.

"The respective motions to dismiss the action are therefore each denied, and a preliminary injunction will issue forthwith, as prayed for by the plaintiff . . ."

NOTICE OF HEARING ON A NOMINATION

Mr. JACKSON. Mr. President, on next Monday, January 25, the Committee on Interior and Insular Affairs will hold an open public hearing on the President's nomination of the Honorable ROGERS C. B. MORTON to be the Secretary of the Interior. The hearing will begin at 10 a.m., in room 1202 of the New Senate Office Building. The public is invited to attend and any Member of the Senate wishing to participate is welcome to do so.

For the information of the Senate, I ask unanimous consent that a biographical sketch of Mr. MORTON be placed in the RECORD at this point in my remarks.

There being no objection, the biographical sketch was ordered to be printed in the RECORD, as follows:

ROGERS C. B. MORTON

Rogers Clark Ballard Morton, of Easton, Maryland; born September 19, 1914, Louisville, Kentucky; son of David C. and Mary B. Morton; attended public schools and Woodberry Forest School, Orange, Virginia; graduated from Yale University, B.A., 1937; Ballard and Ballard Company, 1939–1951, President, 1947–51; Vice President, the Pillsbury Company, 1953-Jan. 1971; elected to the United States House of Representatives, 88th Congress, in 1962, and re-elected to the 89th, 90th, 91st and 92nd Congresses; served on the Committee on Interior and Insular Affairs, 1963–68; Committee on Merchant Marine and Fisheries, 1963–68; Select Committee on Small Business, 1967–68; Committee on Ways and Means, 1969-present; Member of the Public Land Law Review Commission, 1965–66 and the President's Commission on the Status of Puerto Rico, 1965–66; Member of Board of Visitors, United States Naval Academy, 1966–1970; Chairman, Republican National Committee, 1969-Jan. 1971; Army veteran of World War II; Member, Advisory Board, Air Training Command, US. Air Force, 1958–63; married Anne Jones, 1939; one son, David, and one daughter, Mrs. Anne McCance.

PROGRAM

Mr. MANSFIELD. Mr. President, in accordance with the usual practice, the Senate concurring, no business will be transacted until after the President delivers his state of the Union message tomorrow evening.

DEFERRAL OF DEBATE ON RULES CHANGES UNTIL MONDAY

Mr. MANSFIELD. Mr. President, I ask unanimous consent that deliberation and debate on the question of amending the rules of the Senate be deferred until Monday next, and that this deferral shall not be prejudicial to the rights or the positions of any opponent or proponent of any rules change.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

ADJOURNMENT UNTIL 8 P.M. TOMORROW

Mr. MANSFIELD. Mr. President, if there be no further business to come before the Senate, I move that the Senate stand in adjournment until 8 p.m. tomorrow evening.

The motion was agreed to; and (at 12 o'clock and 40 minutes p.m.) the Senate adjourned until tomorrow, Friday, January 22, 1971, at 8 p.m.

HOUSE OF REPRESENTATIVES—*Thursday, January 21, 1971*

This being the day fixed by the 20th amendment of the Constitution and Public Law 91–643 of the 91st Congress for the annual meeting of the Congress of the United States, the Members-elect of the House of Representatives of the 92d Congress met in their Hall, and at 12 o'clock noon were called to order by the Clerk of the House of Representatives, Hon. W. Pat Jennings.

The Chaplain, Rev. Edward G. Latch, D.D., prefaced his prayer with these words of Scripture:

Blessed is the nation whose God is the Lord.—Psalms 33: 12.

O God and father of us all, whose glory is in all the world and whose goodness lives in every heart, at the beginning of the 92d Congress, we pause in Thy presence to lift our hearts unto Thee in prayer. Like our fathers we climb this holy hill of our national life and pray for clear minds, clean hands, and a creative faith as we face the grave responsibilities of this new year and accept the challenging tasks of this new Congress.

We commend our Nation unto Thee that leaders and people being led by Thy spirit may courageously live through these difficult days and come to an era of enduring peace, lasting prosperity, and true brotherhood.

Hear us as we reverently unite in offering unto Thee the prayer of our Lord:

Our Father, who art in heaven, hallowed be Thy name, Thy kingdom come, Thy will be done on earth as it is in heaven. Give us this day our daily bread. And forgive us our trespasses as we forgive those who trespass against us. And lead us not into temptation, but deliver us from evil. For Thine is the kingdom, and the power, and the glory, forever. Amen.

The CLERK. Representatives-elect to the 92d Congress, this is the day fixed by statute as prescribed by the 20th amendment of the Constitution for the meeting of the 92d Congress.

As the law directs, the Clerk of the House has prepared the official roll of the Representatives-elect.

Credentials for the 435 districts to be represented in the 92d Congress have been received and are now on file with the Clerk of the 91st Congress.

The names of those persons whose credentials show they were elected in accordance with the laws of the several States and of the United States will be called; and as the roll is called, following the alphabetical order of the States, beginning with the State of Alabama, Representatives-elect will answer to their names to determine whether or not a quorum is present.

The reading clerk will call the roll.

The Clerk called the roll by States and the following Representatives-elect answered to their names:

[Roll No. 1]

ALABAMA		
Edwards, Jack	Nichols	Jones,
Dickinson	Flowers	Robert E.
Andrews,	Buchanan	
George W.	Bevill	
ALASKA		
	Begich (at large)	
ARIZONA		
Rhodes	Udall	Steiger, Sam
ARKANSAS		
Alexander	Hammer-	Pryor, David
Mills	schmidt	
CALIFORNIA		
Clausen,	Talcott	Rousselot
Don H.	Teague,	Wiggins
Johnson,	Charles M.	Rees
Harold T.	Waldie	Goldwater
Moss	McFall	Bell
Leggett	Sisk	Danielson
Burton,	Anderson,	Roybal
Phillip	Glenn M.	Wilson,
Mailliard	Mathias	Charles H.
Dellums	Holifield	Pettis
Miller,	Smith,	Hanna
George P.	H. Allen	Schmitz
Edwards, Don	Hawkins	Wilson, Bob
Gubser	Corman	Van Deerlin
McCloskey	Clawson, Del	Veysey
COLORADO		
McKevitt	Evans,	Aspinall
Brotzman	Frank E.	
CONNECTICUT		
Cotter	Giaimo	Monagan
Steele	McKinney	Grasso
DELAWARE		
	duPont (at large)	
FLORIDA		
Sikes	Haley	Pepper
Fuqua	Young,	Fascell
Bennett	C. W. Bill	
Chappell, Jr.	Rogers,	
Frey	Paul G.	
Gibbons	Burke	
GEORGIA		
Hagan	Thompson,	Stuckey
Mathis	Fletcher	Landrum
Brinkley	Flynt	Stephens
Blackburn	Davis,	
	John W.	
HAWAII		
Matsunaga	Mink	
IDAHO		
McClure	Hansen, Orval	

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

ILLINOIS

Metcalfe	Yates	Arends
Mikva	Collier	Michel
Murphy, Morgan F.	Pucinski	Railsback
Derwinski	McClory	Findley
Kluczynski	Crane	Gray
Collins, George W.	Erlenborn	Springer
Annunzio	Reid, Charlotte T.	Shipley
Rostenkowski	Anderson, John B.	Price, Melvin

INDIANA

Madden	Hillis	Hamilton
Landgrebe	Bray	Dennis
Brademas	Myers	Jacobs
Roush	Zion	

IOWA

Schwengel	Kyl	Mayne
Culver	Smith, Neal	Scherle
Gross		

KANSAS

Sebelius	Winn	Skubitz
Roy	Shriver	

KENTUCKY

Stubblefield	Snyder	Perkins
Natcher	Carter	
Mazzoli	Watts	

LOUISIANA

Hébert	Passman	Long, Speedy O.
Boggs	Rarick	
Caffery	Edwards, Edwin W.	
Waggonner		

MAINE

Kyros	Hathaway	

MARYLAND

Morton	Garmatz	Byron
Long, Clarence D.	Sarbanes	Mitchell
	Hogan	Gude, Gilbert

MASSACHUSETTS

Conte	Harrington	Heckler, M. M.
Boland	Macdonald, Torbert H.	Burke
Drinan		Keith
Donohue	O'Neill	
Morse	Hicks, L. D.	

MICHIGAN

Conyers	Harvey	Ford, William D.
Esch	Vander Jagt	
Brown	Cederberg	Dingell
Hutchinson	Ruppe	Griffiths
Ford, Gerald R.	O'Hara	Broomfield
Chamberlain	Diggs	McDonald, Jack H.
Riegle	Nedzi	

MINNESOTA

Quie	Karth	Bergland
Nelsen	Fraser	Blatnik
Frenzel	Zwach	

MISSISSIPPI

Abernethy	Griffin	Colmer
Whitten	Montgomery	

MISSOURI

Clay	Bolling	Hungate
Symington	Hull	Burlison
Sullivan	Hall	
Randall	Ichord	

MONTANA

Shoup	Melcher	

NEBRASKA

Thone	McCollister	Martin

NEVADA

Baring (at large)

NEW HAMPSHIRE

Wyman	Cleveland	

NEW JERSEY

Hunt	Forsythe	Dwyer
Sandman	Widnall	Gallagher
Howard	Roe	Daniels, Dominick V.
Thompson, Frank	Helstoski	
Frelinghuysen	Rodino	Patten
	Minish	

NEW MEXICO

Lujan	Runnels	

NEW YORK

Pike	Carey	Stratton
Grover	Murphy, John M.	King
Wolff		McEwen
Wydler	Koch	Pirnie
Lent, Norman F.	Rangel	Robison, Howard W.
	Abzug	
Halpern	Ryan	Terry
Addabbo	Badillo	Hanley
Rosenthal	Scheuer	Horton
Delaney	Bingham	Conable
Brasco	Biaggi	Hastings
Chisholm	Peyser	Kemp
Podell	Reid, Ogden R.	Smith, Henry P.
Rooney, John J.	Dow	Dulski
	Fish	

NORTH CAROLINA

Jones, Walter B.	Mizell	Jonas
	Preyer, Richardson	Broyhill
Fountain		Taylor
Henderson	Lennon	
Galifianakis	Ruth	

NORTH DAKOTA

Andrews, Mark	Link, Arthur A.	

OHIO

Keating	Miller, Clarence E.	Ashbrook
Clancy		Hays
Whalen	Stanton, J. William	Carney
Latta		Stanton, James V.
Harsha	Devine	
Brown	Mosher	Stokes
Betts	Seiberling	Vanik
Ashley	Wylie	Minshall
	Bow	Powell

OKLAHOMA

Belcher	Albert	Jarman
Edmondson	Steed	Camp

OREGON

Wyatt	Green, Edith	Dellenback
Ullman		

PENNSYLVANIA

Barrett	Flood	Dent
Nix	Whalley	Saylor
Byrne	Coughlin	Johnson, Albert W.
Eilberg	Moorhead	
Green, William J.	Rooney, Fred B.	Vigorito
		Clark
Yatron	Eshleman	Morgan
Williams	Schneebeli	Fulton, James G.
Biester	Corbett	
Ware	Goodling	
McDade	Gaydos	

RHODE ISLAND

St Germain	Tiernan	

SOUTH CAROLINA

Spence	Mann	McMillan
Dorn	Gettys	

SOUTH DAKOTA

Denholm	Abourezk	

TENNESSEE

Quillen	Fulton, Richard	Jones
Duncan		Kuykendall
Baker	Anderson, William R.	
Evins, Joe L.	Blanton	

TEXAS

Patman	Pickle	Price, Robert
Collins, James M.	Poage	
	Wright	Mahon
Roberts	Purcell	Gonzalez
Cabell	Young, John	Fisher
Teague, Olin E.	de la Garza	Casey
Archer	White	Kazen
Brooks	Burleson	

UTAH

McKay	Lloyd	

VERMONT

Stafford (at large)

VIRGINIA

Downing	Poff	Wampler
Satterfield	Robinson, J. K.	Broyhill
Abbitt		
Daniel, W. C.	Scott	

WASHINGTON

Pelly	McCormack	Adams
Meeds	Foley	
Hansen, Julia B.	Hicks, Floyd V.	

WEST VIRGINIA

Mollohan	Slack	Kee
Staggers	Hechler, Ken	

WISCONSIN

Aspin	Reuss	Davis, Glenn R.
Kastenmeier	Steiger, William A.	
Thomson, V. W.		O'Konski
	Obey	
Zablocki	Byrnes	

WYOMING

Roncalio (at large)

The CLERK. Is there anyone present who failed to respond to his or her name?

The rollcall discloses that 428 Representatives-elect have answered to their names.

A quorum is present.

ANNOUNCEMENTS BY THE CLERK

The CLERK. The Clerk wishes to state that credentials are on file showing the election of the Honorable JORGE L CÓRDOVA as Resident Commissioner from the Commonwealth of Puerto Rico for a term of 4 years beginning January 3, 1969.

The Clerk also regrets to announce that there is a vacancy in the First District of South Carolina occasioned by the recent death of the Honorable L. Mendel Rivers.

ELECTION OF SPEAKER

The CLERK. The next order of business is the election of a Speaker of the House of Representatives for the 92d Congress.

Nominations are now in order.

Mr. TEAGUE of Texas. Mr. Clerk, as chairman of the Democratic caucus, I am directed by the unanimous vote of that caucus to present for election to the office of the Speaker of the House of Representatives of the 92d Congress the name of the Honorable CARL ALBERT, a Representative-elect from the State of Oklahoma.

Mr. ANDERSON of Illinois. Mr. Clerk, as chairman of the Republican conference and by authority, by direction, and by unanimous vote of the Republican conference, I nominate for Speaker of the House of Representatives the Honorable GERALD R. FORD, a Representative-elect from the State of Michigan.

The CLERK. The Honorable CARL ALBERT, a Representative-elect from the State of Oklahoma, and the Honorable GERALD R. FORD, a Representative-elect from the State of Michigan, have been placed in nomination.

Are there further nominations? (After a pause.) There being no further nominations, the Clerk will appoint tellers.

The Clerk appoints the gentleman from Ohio (Mr. HAYS), the gentleman from Ohio (Mr. DEVINE), the gentlewoman from Missouri (Mrs. SULLIVAN), and the gentlewoman from Illinois (Mrs. REID).

Tellers will come forward and take their seats at the desk in front of the Speaker's rostrum.

The roll will now be called, and those responding to their names will indicate by surname the nominee of their choice.

The reading clerk will call the roll.

The tellers having taken their places, the House proceeded to vote for Speaker.

The following is the result of the vote:

[Roll No. 2]

ALBERT

Abbitt	Aspinall	Brademas
Abernethy	Badillo	Brasco
Abourezk	Baring	Brinkley
Abzug	Barrett	Brooks
Adams	Begich	Burke, Mass.
Addabbo	Bennett	Burleson, Tex.
Alexander	Bergland	Burlison, Mo.
Anderson, Calif.	Bevill	Burton
	Biaggi	Byrne, Pa.
Anderson, Tenn.	Bingham	Byron
	Blanton	Cabell
Andrews, Ala.	Blatnik	Caffery
Annunzio	Boggs	Carey, N.Y.
Ashley	Boland	Carney
Aspin	Bolling	Casey, Tex.

Chappell
Chisholm
Clark
Clay
Collins, Ill.
Colmer
Conyers
Corman
Cotter
Culver
Daniel, Va.
Daniels, N.J.
Danielson
Davis, Ga.
de la Garza
Delaney
Dellums
Denholm
Dent
Diggs
Dingell
Donohue
Dorn
Dow
Downing
Drinan
Dulski
Edmondson
Edwards, Calif.
Edwards, La.
Eilberg
Evans, Colo.
Evins, Tenn.
Fascell
Fisher
Flood
Flowers
Flynt
Foley
Ford, William D.
Fountain
Fraser
Fulton, Tenn.
Fuqua
Galifianakis
Gallagher
Garmatz
Gaydos
Gettys
Giaimo
Gibbons
Gonzalez
Grasso
Gray
Green, Oreg.
Green, Pa.
Griffin
Griffiths
Hagan
Haley
Hamilton
Hanley
Hanna
Hansen, Wash.
Harrington
Hathaway
Hawkins
Hays
Hébert
Hechler, W. Va.
Helstoski
Henderson
Hicks, Mass.
Hicks, Wash.
Holifield
Howard
Hull
Hungate
Ichord
Jacobs
Jarman
Johnson, Calif.
Jones, Ala.
Jones, N.C.
Jones, Tenn.
Karth
Kastenmeier
Kazen
Kee
Kluczynski
Koch
Kyros
Landrum
Leggett
Lennon
Link
Long, La.
Long, Md.
McCormack
McFall
McKay
McMillan
Macdonald, Mass.
Madden
Mahon
Mann
Mathis, Ga.
Matsunaga
Mazzoli
Meeds
Melcher
Metcalfe
Mikva
Miller, Calif.
Mills
Minish
Mink
Mitchell
Mollohan
Monagan
Montgomery
Moorhead
Morgan
Moss
Murphy, Ill.
Murphy, N.Y.
Natcher
Nedzi
Nichols
Nix
Obey
O'Hara
O'Neill
Passman
Patman
Patten
Pepper
Perkins
Pickle
Pike
Poage
Podell
Preyer, N.C.
Price, Ill.
Pryor, Ark.
Pucinski
Purcell
Randall
Rangel
Rarick
Rees
Reuss
Roberts
Rodino
Roe
Rogers
Roncalio
Rooney, N.Y.
Rooney, Pa.
Rosenthal
Rostenkowski
Roush
Roy
Roybal
Runnels
Ryan
St Germain
Sarbanes
Satterfield
Scheuer
Seiberling
Shipley
Sikes
Sisk
Slack
Smith, Iowa
Staggers
Stanton, James V.
Steed
Stephens
Stokes
Stratton
Stubblefield
Stuckey
Sullivan
Symington
Taylor
Teague, Tex.
Thompson, N.J.
Tiernan
Udall
Ullman
Van Deerlin
Vanik
Vigorito
Waggonner
Waldie
Watts
White
Whitten
Wilson, Charles H.
Wolff
Wright
Yates
Yatron
Young, Tex.
Zablocki

FORD, GERALD R.

Anderson, Ill.
Andrews, N. Dak.
Archer
Arends
Ashbrook
Baker
Belcher
Bell
Betts
Biester
Blackburn
Bow
Bray
Broomfield
Brotzman
Brown, Mich.
Brown, Ohio
Broyhill, N.C.
Broyhill, Va.
Buchanan
Burke, Fla.
Byrnes, Wis.
Camp
Carter
Cederberg
Chamberlain
Clancy
Clausen, Don H.
Clawson, Del
Cleveland
Collier
Collins, Tex.
Conable
Conte
Corbett
Coughlin
Crane
Davis, Wis.
Dellenback
Dennis
Derwinski
Devine
Dickinson
Duncan
duPont
Dwyer
Edwards, Ala.
Erlenborn
Esch
Eshelman
Findley
Fish
Forsythe
Frelinghuysen
Frenzel
Frey
Fulton, Pa.
Goldwater
Goodling
Gross
Grover
Gubser
Gude
Hall
Halpern
Hammer-schmidt
Hansen, Idaho
Harsha
Harvey
Hastings
Heckler, Mass.
Hillis
Hogan
Horton
Hunt
Hutchinson
Johnson, Pa.
Jonas
Keating
Keith
Kemp
King
Kuykendall
Kyl
Landgrebe
Latta
Lent
Lloyd
Lujan
McClory
McCloskey
McClure
McCollister
McDade
McDonald, Mich.
McEwen
McKevitt
McKinney
Mailliard
Martin
Mathias, Calif.
Mayne
Michel
Miller, Ohio
Minshall
Mizell
Morse
Morton
Mosher
Myers
Nelsen
O'Konski
Pelly
Pettis
Peyser
Pirnie
Poff
Powell
Price, Tex.
Quie
Quillen
Railsback
Reid, Ill.
Reid, N.Y.
Rhodes
Riegle
Robinson
Robison
Rousselot
Ruppe
Ruth
Sandman
Saylor
Scherle
Schmitz
Schneebeli
Schwengel
Scott
Sebelius
Shoup
Shriver
Skubitz
Smith, Calif.
Smith, N.Y.
Snyder
Spence
Springer
Stafford
Stanton, J. William
Steele
Steiger, Ariz.
Steiger, Wis.
Talcott
Teague, Calif.
Terry
Thompson, Ga.
Thomson, Wis.
Thone
Vander Jagt
Veysey
Wampler
Ware
Whalen
Whalley
Widnall
Wiggins
Williams
Wilsen, Bob
Winn
Wyatt
Wydler
Wylie
Wyman
Young, Fla.
Zion
Zwach

The CLERK. The tellers agree on their tallies. The total number of votes cast is 426, of which the Honorable CARL ALBERT, of Oklahoma, received 250 and the Honorable GERALD R. FORD received 176.

Therefore, the Honorable CARL ALBERT, of Oklahoma, is the duly elected Speaker of the House of Representatives for the 92d Congress, having received a majority of the votes cast.

The Clerk appoints the following committee to escort the Speaker-elect to the chair: the gentleman from Michigan (Mr. GERALD R. FORD), the gentleman from Louisiana (Mr. BOGGS), the gentleman from Illinois (Mr. ARENDS), the gentleman from Texas (Mr. TEAGUE), and the gentleman from Oklahoma (Mr. STEED).

The Doorkeeper announced the Speaker-elect of the House of Representatives of the 92d Congress, who was escorted to the chair by the committee of escort.

Mr. GERALD R. FORD. Mr. Speaker, my colleagues of the 92d Congress, I am very glad to see so many of you again—and so soon.

It seems only yesterday that the 91st Congress adjourned. History may record this period as two Congresses connected by a long caucus.

Seriously, I think all of us here sensed, as the last session ground interminably to a close, that we were somehow witnessing the end of an era.

Today, we stand upon the threshold of a new era for the House of Representatives, which I love and our new Speaker loves and which I hope all of you will learn to love.

A new era not only for this House, but also for our country, which we love even more than we do this body and more than we do our respective political parties. I do not pass judgment on the past, of which I have been a part and in which I take some pride. But I look to the future, and to the job we have to do—all of us together—here in this historic Chamber and in our districts at home.

Thomas Jefferson said that government is strongest of which every man feels himself a part. The only place where this is possible in our federal system is here in "the people's House."

We know this. But increasing numbers of our fellow citizens doubt it, or just plain do not believe it. Let us remember, above all else, exactly what we are—Representatives. Not representatives of the Democratic Party or the Republican Party or of this or that faction but of the people who sent us here to represent them.

Millions of Americans must come to know, and to believe—better than they do now, that this is their House, that we are their strong advocates in the National Government, that this is their ready recourse for the redress of wrongs, their constant channel for constructive change, their entry into the so-called establishment.

To make this even more true, and much more evident, is the task to which the new leadership on both sides of the aisle must dedicate themselves from this day forward, and to which I pledge myself without reservation.

The mechanism by which the people's House operates, by which the raw power of numerical majorities is effectively harnessed for forward progress, is of course the two-party system. The Constitution says nothing about this. The two-party system has prevailed through most of our history because it has worked. We could have 10 or 12 parties in this body, as many parliaments have—and there are days when I imagine that we do.

I firmly believe in the two-party system, even though it has just insured my fourth defeat for the office of Speaker.

But again, it is not merely our duty to make this system work, but to convince the American people that it is the best way to serve their real needs, to make their voices heard. At this moment they are not wholly convinced.

This proposition must be proved here in the people's House. This is the primary challenge before the 92d Congress. As the leader of the minority party here, as the loyal friend of a President who is himself a product of the Congress and of the two-party crucible, and as the proven collaborator with our new Speaker in all that strengthens and sustains our country's essential interests, I pledge my best effort to this end.

Now let me say a few words about our new Speaker, with whom I have enjoyed the closest personal harmony on and off the floor of this House for the past 6 years and long before that.

It is curious that whenever we inaugurate a new President—and only 36 Americans have held this high office—we turn over the whole east front of the Capitol and we clear the length of Pennsylvania Avenue and we parade and dance and celebrate for several days. But when we elevate a new Speaker of the House of Representatives—and only 49 distinguished Americans have occupied this chair—the second most important place in our Government—we content ourselves with a few simple speeches and a round or two of applause.

I hope, Mr. Speaker, that this will suffice to tell you of our pride in your succession and our prayers for your success.

A powerful former Speaker once declared that the best system of government is to have one party govern and the other party watch.

Speaker Tom Reed may have been right, but the voters in their wisdom have decreed otherwise for the 92d Congress. And in any case he stopped short of the whole truth. We are going to be watching, Mr. Speaker; but we will also be working. We are going to work as hard as we can and win as many as we can.

There have been many great Speakers in our past, from Maine to Missouri, from Pennsylvania and Kentucky, from Texas and Tennessee, and of course from Massachusetts.

But until this hour there has never been a Speaker from Big Tussle, Okla.

I am here to say that I like and admire the gentleman from Oklahoma who has just defeated me—I like Oklahoma itself and I am especially fond of the wonderful songs everybody associates with Oklahoma from the musical comedy by Rogers and Hammerstein.

Why, only this morning while I was shaving I found myself singing:

> Oh what a beautiful morning,
> Oh what a beautiful day,
> With forty more votes in my pocket,
> Things would be going my way!

Well that is enough of my singing. I just wanted to make the point, Mr. Speaker, that any political office is temporary.

The only trouble is, when it comes to the speakership, I have learned that "It's a Long, Long Way to Temporary."

I cannot begin to enumerate all of our new Speaker's many achievements. We know he has been a champion debater since boyhood, a Rhodes scholar who turned out OK, a tireless and effective legislator and a formidable floor leader. It is really a relief to know he will now be preoccupied with parliamentary matters.

But I have read in the papers that the gentleman from Oklahoma is thinking about new ways to present the case for the Democrats during the next 2 years, perhaps teaming up on television with the majority leader of the other body in something like the "Carl and Mike Show."

To show how sincere I am in my pledge of cooperation, Mr. Speaker, I stand ready to offer you all my old files from the "Ev and Jerry Show."

Confidentially, you may be able to use some of this splendid material without changing a word.

Mr. Speaker, on behalf of all the minority Members of the House, I congratulate you and express our confidence that you will cherish the great traditions of the House and be the guardian of the rights of all its Members.

The speakership comes as a combination of the respect and friendship of your colleagues and the national fortunes of your party. I sincerely hope that the latter may last no longer than 22 months but that the former—which you have in abundant measure today—will endure as long as any of us remain here in the people's House.

To be Speaker is a great honor and privilege. Only silghtly less of an honor and privilege is mine today—to present to my colleagues of this 92d Congress a great American, a great son of Oklahoma and my great and good friend, the 49th Speaker of the House of Representatives, Hon. CARL ALBERT.

Mr. ALBERT. Mr. Minority Leader and my colleagues of the 92d Congress, thank you from the bottom of my heart for the high honor which your votes have just bestowed upon me.

I cannot proceed without thanking my good friend and colaborer of many years, GERALD R. FORD, the distinguished minority leader, for the kind accolades with which he has chosen to present me—and may I say to him that the radio stations of Oklahoma have been hooked up to carry these proceedings to every schoolhouse in my district, and I will not need the "Ev and Charlie" show after they hear this speech.

While GERALD R. FORD and I stand on opposite sides of the aisle—which I hope is always the center aisle only for political purposes and between two political parties—we stand together in the conviction that this House is the fundamental forum of American democracy.

We believe, as Speaker Randall said on a similar occasion nearly a century ago:

> The House, fresh from the people, brings with it their latest will.

My colleagues, I accept the high honor which you have given me with humility—humility tempered only by the immense responsibility which this office carries and which must engender in me a sense of determination such as I have never experienced in my lifetime before. It is my lot to follow two extraordinary men who held this high office longer than any of their predecessors. While serving as one of the lieutenants for both Sam Rayburn and John W. McCormack for many, many years, I was always aware that I was working in the shadow of greatness. These two men set standards which all who follow them will seek to emulate, but few can ever hope to attain.

As Congressman GERALD R. FORD indicated in his remarks, the Speaker—and we are talking about the Speaker as the chosen leader of the people's branch of the Government—occupies a position of preeminent national importance. I promise you as I take over the job that I will spare neither energy, time, nor effort to perform the responsibilities and to meet the responsibilities that you have given me in the traditions of those who have gone before. I can assure you that I will protect and defend the powers, the prerogatives and privileges of the House of Representatives at all times and in all places, and I pledge to you, as your new Speaker, with your help, to give this House of Representatives its rightful place, a preeminent place among the branches of the National Government.

In preparing my remarks for today, I was reminded of a line from Emerson:

> There is no History; only Biography.

The United States is 206 million people with varying aspirations, talents, and concerns. We are a people challenged now by choices undreamed of in more complacent times.

In this Chamber, as has been said so many times, the people govern. In the broadest and most evocative sense, we, the Representatives of the people, conduct the town meetings of the Nation. It is an awesome responsibility, and it works. Compassion, concern, and an individual desire to correct the deficiencies of our society are here 435-fold. Our decisions as lawmakers touch the lives of men, women, and children in every section of the country and in almost every nation of the world.

We are the trustees, you and I, of the great heritage which this House represents, and I say it is by definition the duty of a legislative body to legislate. If we are to perform that duty and meet the responsibilities that we owe to those who sent us here, to our Nation and to our generation, we must be about the job. We must not flounder. We must move cautiously, of course, but we must also move with dispatch in the disposition of the public business. There is too much to be done to delay in the performance of our duties. This is and must always remain a viable, working institution, as responsive to the needs of America in 1971 as it was when Frederick Muhlenberg first picked up the gavel in 1789. Unless it is, representative government as we know it in this Nation will no longer be valid. The Congress shares with the President a moral as well as a constitutional obligation for the evolvement of basic precepts for a healthy and dynamic state of the Union. Our predecessors well acquitted themselves in the discharge of that obligation. I neither anticipate nor shall I settle for anything less from the 92d Congress.

On tomorrow we will be honored by a visit by the President of the United States, who in this Chamber will deliver his state of the Union message. While we may not agree with all the recommendations made by the President of the United States, I hope we will never look upon presidential proposals through partisan eyes; that we will never oppose simply for the sake of opposing.

Democrats and Republicans alike could well heed the admonition of a great Speaker early in this century, Champ Clark, when he said:

> He serves his party best who serves his country best.

How do I view the future? In brief, I view it with sincere optimism, tempered by the concern to instill in our people the will and the spirit to meet and to master the massive problems which confront us.

We as a nation are going through a trying period, a period of sobering self-analysis. But such self-analysis has been the progenitor of success in our system before, and the problems before us are not insoluble. The genius of the collective will of the American people—from all walks of life, all races and national origins, and all religions—applied through the principles of representative democracy with proper inspiration from their

leaders, can meet the challenges, large though they loom.

We, therefore, turn to our labors with confidence and determination. We cannot falter; we will not fail.

The biography of this Congress will shape the legislative destiny of the 1970's.

[Applause, Members rising.]

I am now ready to take the oath of office, and I have the honor of requesting the distinguished acting dean of the House of Representatives, the gentleman from Texas (Mr. PATMAN) to administer the oath of office.

Mr. PATMAN then administered the oath of office to Mr. ALBERT, of Oklahoma.

SWEARING IN OF MEMBERS

The SPEAKER. According to the precedent, the Chair will swear in all Members of the House at this time.

If the Members will rise, the Chair will now administer the oath of office.

The Members-elect, other than the Resident Commissioner-elect, rose, and the Speaker administered the oath of office to them.

The SPEAKER. The Chair recognizes the gentleman from Texas (Mr. TEAGUE).

MAJORITY LEADER

Mr. TEAGUE of Texas. Mr. Speaker, as chairman of the Democratic caucus, I have been directed to report to the House that the Democratic Members have selected unanimously as majority leader the gentleman from Louisiana, the Honorable HALE BOGGS.

MINORITY LEADER

Mr. ANDERSON of Illinois. Mr. Speaker, as chairman of the Republican conference, I am directed by that conference to officially notify the House that the gentleman from Michigan, the Honorable GERALD R. FORD, has been unanimously selected as the minority leader of the House.

ELECTION OF CLERK OF THE HOUSE, SERGEANT AT ARMS, DOORKEEPER, POSTMASTER, AND CHAPLAIN

Mr. TEAGUE of Texas. Mr. Speaker, I offer a resolution (H. Res. 1) and ask for its immediate consideration.

The Clerk read the resolution as follows:

H. RES. 1

Resolved, That W. Pat Jennings, of the Commonwealth of Virginia, be, and he is hereby, chosen Clerk of the House of Representatives;

That Zeake W. Johnson, Jr., of the State of Tennessee, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

That William M. Miller, of the State of Mississippi, be, and he is hereby, chosen Doorkeeper of the House of Representatives;

That H. H. Morris, of the Commonwealth of Kentucky, be, and he is hereby, chosen Postmaster of the House of Representatives;

That Reverend Edward G. Latch, D.D., of the District of Columbia, be, and he is hereby, chosen Chaplain of the House of Representatives.

Mr. ANDERSON of Illinois. Mr. Speaker, I have a substitute to offer to the resolution, but before offering the substitute I request that there be a division on the question on the resolution so that we may have a separate vote on the office of Chaplain.

The SPEAKER. The question is on agreeing to the portion of the resolution providing for the election of the Chaplain.

That portion of the resolution was agreed to.

SUBSTITUTE AMENDMENT OFFERED BY MR. ANDERSON OF ILLINOIS

Mr. ANDERSON of Illinois. Mr. Speaker, I offer a substitute amendment for the remainder of the resolution.

The Clerk read the substitute amendment, as follows:

Amendment offered by Mr. ANDERSON of Illinois as a substitute for the remainder of House Resolution 1:

"*Resolved,* That Joe Bartlett, of the State of Ohio, be, and he is hereby, chosen Clerk of the House of Representatives;

"That Robert T. Hartmann, of the State of Maryland, be, and he is hereby, chosen Sergeant at Arms of the House of Representatives;

"That William R. Bonsell, of the Commonwealth of Pennsylvania, be, and he is hereby, chosen Doorkeeper of the House of Representatives;

"That Tommy Lee Winebrenner, of the State of Indiana, be, and he is hereby, chosen Postmaster of the House of Representatives."

The SPEAKER. The question is on the substitute amendment.

The substitute amendment was rejected.

The SPEAKER. The question is on the resolution offered by the gentleman from Texas (Mr. TEAGUE).

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. Will the officers elected present themselves at the bar of the House and take the oath of office?

The officers-elect presented themselves at the bar of the House and took the oath of office.

NOTIFICATION TO SENATE OF ORGANIZATION OF THE HOUSE

Mr. MILLS. Mr. Speaker, I offer a resolution (H. Res. 2) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 2

Resolved, That a message be sent to the Senate to inform that body that a quorum of the House of Representatives has assembled; that Carl Albert, a Representative from the State of Oklahoma, has been elected Speaker; and W. Pat Jennings, a citizen of the Commonwealth of Virginia, Clerk of the House of Representatives of the Ninety-second Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

COMMITTEE TO NOTIFY THE PRESIDENT OF THE UNITED STATES OF THE ASSEMBLY OF THE CONGRESS

Mr. BOGGS. Mr. Speaker, I offer a resolution (H. Res. 3) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 3

Resolved, That a committee of two Members be appointed by the Speaker on the part of the House of Representatives to join with a committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled, and that Congress is ready to receive any communication that he may be pleased to make.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. The Chair appoints as members of the committee on the part of the House to join the committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and that Congress is ready to receive any communication he may be pleased to make, the gentleman from Louisiana (Mr. BOGGS) and the gentleman from Michigan (Mr. GERALD R. FORD).

AUTHORIZING THE CLERK TO INFORM THE PRESIDENT OF THE ELECTION OF THE SPEAKER AND THE CLERK OF THE HOUSE OF REPRESENTATIVES

Mr. MAHON. Mr. Speaker, I offer a resolution (H. Res. 4) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 4

Resolved, That the Clerk be instructed to inform the President of the United States that the House of Representatives has elected Carl Albert, a Representative from the State of Oklahoma, Speaker; and W. Pat Jennings, a citizen of the Commonwealth of Virginia, Clerk of the House of Representatives of the Ninety-second Congress.

The resolution was agreed to.

A motion to reconsider was laid on the table.

RULES OF THE HOUSE

Mr. COLMER. Mr. Speaker, I offer a resolution and ask for its immediate consideration.

The Clerk proceeded to read the resolution.

The SPEAKER. The Clerk will suspend the reading of the resolution.

The Chair recognizes the gentleman from Mississippi (Mr. COLMER).

Mr. COLMER. Mr. Speaker, I am advised that an error was made in the haste here and that the wrong resolution was submitted. Therefore, I ask unanimous consent——

The SPEAKER. The gentleman from Mississippi can withdraw the resolution.

Mr. COLMER. Mr. Speaker, I withdraw the resolution.

Mr. GROSS. Mr. Speaker, reserving the right to object——

The SPEAKER. A reservation of objection is not in order.

Mr. GROSS. Mr. Speaker, did not the gentleman from Mississippi offer a resolution to the House?

The SPEAKER. Yes, he did; but he has withdrawn it; and he has that right to withdraw it.

The Chair recognizes the gentleman from Mississippi.

Mr. COLMER. Mr. Speaker, I offer a resolution (H. Res. 5) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 5

Resolved, That the Rules of the House of Representatives of the Ninety-first Congress, together with all applicable provisions of the Legislative Reorganization Act of 1946, as amended, and the Legislative Reorganization Act of 1970, be, and they are hereby adopted as the Rules of the House of Representatives of the Ninety-second Congress, with the following amendments as part thereof, to wit:

In Rule X, renumber clause 4 and 5 as 5 and 6, insert a new clause 3 as follows:

"3. The Select Committee on Small Business be a permanent select committee of the House without legislative jurisdiction except to make investigations and reports."

In Rule XI, strike out clause 24 and insert in lieu thereof the following:

"24. The Committee on Rules shall present to the House reports concerning rules, joint rules, and order of business, within three legislative days of the time when ordered reported by the committee. If such rule or order is not considered immediately, it shall be referred to the calendar and, if not called up by the Member making the report within seven legislative days thereafter, any member of the Committee on Rules may call it up as a question of privilege and the Speaker shall recognize any member of the Committee on Rules seeking recognition for that purpose. If the Committee on Rules shall fail to report a resolution providing for an order of business for the consideration of the House of any public bill or joint resolution favorably reported by a committee of the House within 10 calendar days after the filing, by the chairman or a member acting at the direction of the committee, of a written request in the office of the Committee on Rules that such committee report a resolution providing for such order of business, and if thereafter a resolution is filed by the chairman or the designees of the committee which has filed a prior written request providing for such order of business, which resolution is not acted upon for 21 calendar days after reference to the Committee on Rules; or if the Committee on Rules shall adversely report any resolution providing for an order of business on any public bill or joint resolution, then on days when it is in order to call up motions to discharge committees, it may be in order as a matter of the highest privilege for the Speaker, in his discretion, to recognize the chairman or any member of the committee which reported such bill or joint resolution who has been so authorized by said committee to call up for consideration by the House any resolution which the Committee on Rules has so adversely reported or failed to report, and it shall be in order to move the adoption by the House of said resolution adversely reported, or not reported, notwithstanding the adverse report, or the failure to report, of the Committee on Rules. Pending the consideration of said resolution, the Speaker may entertain one motion that the House adjourn; but after the result is announced he shall not entertain any other dilatory motion until the said resolution shall have been fully disposed of."

PARLIAMENTARY INQUIRIES

Mr. HALL. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state the parliamentary inquiry.

Mr. HALL. Mr. Speaker, are copies of this resolution available to the Members of the House?

The SPEAKER. No; there are no copies available.

Mr. HALL. Mr. Speaker, a further parliamentary inquiry: Does this not change the precedents and the rules of the House as well as the recently passed reorganization act?

The SPEAKER. It makes changes in both, the Chair will state.

CALL OF THE HOUSE

Mr. HALL. Mr. Speaker, I think this is of more than passing importance. The Members should hear this and, therefore, I make the point of order that a quorum is not present.

The SPEAKER. Evidently a quorum is not present.

Mr. BOLLING. 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. 3]

Barrett	Fisher	Morton
Blanton	Garmatz	Murphy, Ill.
Blatnik	Gibbons	Patman
Byron	Hastings	Rangel
Camp	Hawkins	Roy
Celler	Heckler, Mass.	Sarbanes
Clark	Hosmer	Springer
Daniels, N.J.	Hungate	Stuckey
Davis, Ga.	Keith	Teague, Calif.
Dow	Long, Md.	Tiernan
Dowdy	McCulloch	Whitehurst
Eckhardt	Mathias, Calif.	
Edwards, La.	Metcalfe	

The SPEAKER. On this roll call 395 Members have answered to their names, a quorum.

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

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Sparrow, one of its clerks announced that the Senate had passed a resolution of the following title:

S. RES. 1

Resolved, That a committee consisting of two Senators be appointed by the Vice President to join such committee as may be appointed by the House of Representatives to wait upon the President of the United States and inform him that a quorum of each House is assembled and that the Congress is ready to receive any communication he may be pleased to make.

The message also announced that the Senate had passed Senate Resolution 2:

Resolved, That the Secretary inform the House of Representatives that a quorum of the Senate is assembled and that the Senate is ready to proceed to business.

RULES OF THE HOUSE

The SPEAKER. The Clerk will proceed with the reading of the resolution.

The Clerk read as follows:

In Rule XI, strike out paragraph (a) of clause 27 and insert in lieu thereof the following:

"(a) The Rules of the House are the rules of its committees and subcommittees so far as applicable, except that a motion to recess from day to day is a motion of high privilege in committees and subcommittees. Committees shall adopt written rules not inconsistent with the Rules of the House and those rules shall be binding on each subcommittee of that committee. Each subcommittee of a committee is a part of that committee and is subject to the authority and direction of that committee."

In clause 27(f)(4) of Rule XI, insert the following new sentence at the end thereof:

"All committees shall provide in their rules of procedure for the application of the 5 minute rule in the interrogation of witnesses until such time as each Member of the committee who so desires has had an opportunity to question the witness."

In Rule XI, strike out clause 32(c) and insert in lieu thereof the following:

"(c) The minority party on any such standing committee is entitled to and shall receive fair consideration in the appointment of committee staff personnel pursuant to each such primary or additional expense resolution.",

Strike out Rule XII, and insert in lieu thereof the following:

"Rule XII

"Resident Commissioner from Puerto Rico and Delegate from the District of Columbia

"1. The Resident Commissioner to the United States from Puerto Rico shall be elected to serve on standing committees in the same manner as Members of the House and shall possess in such committees the same powers and privileges as the other Members.

"2. The Delegate from the District of Columbia shall be elected to serve as a member of the Committee on the District of Columbia and shall be elected to serve on other standing committees of the House in the same manner as Members of the House and shall possess in all committees on which he serves the same powers and privileges as the other Members."

and make the following conforming and related changes in the following rules:

CALL OF THE HOUSE

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

The SPEAKER. Evidently a quorum is not present.

Mr. BOGGS. 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. 4]

Ashley	Gallagher	Monagan
Blanton	Garmatz	Montgomery
Boland	Gibbons	Morton
Byron	Griffiths	Murphy, Ill.
Celler	Heckler, Mass.	O'Neill
Clausen,	Hicks, Mass.	Peyser
Don H.	Hosmer	Pirnie
Cotter	Jarman	Quie
Davis, Ga.	Jones, Ala.	Rangel
Dickinson	Kemp	Schneebeli
Dowdy	Lent	Springer
Drinan	Long, Md.	Stafford
Dulski	McCulloch	Stuckey
Eckhardt	McMillan	Teague, Calif.
Edwards, La.	Mathias, Calif.	Tiernan
Erlenborn	Michel	Whitehurst
Esch	Mitchell	Wright

The SPEAKER. On this rollcall 380 Members have answered to their names, a quorum.

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

RULES OF THE HOUSE

The SPEAKER. The Clerk will proceed with the reading of the resolution.

The Clerk read as follows:

(2) Clause 3 of Rule III of the Rules of the House of Representatives is amended—

(1) by striking out "and the Resident Commissioner" each place it occurs and inserting in lieu thereof, "the Delegate from the District of Columbia, and the Resident Commissioner";

Mr. COLMER (during the reading). Mr. Speaker, in view of the haste with which the resolution was assembled and the fact that the Members have not had an opportunity to read the resolution and copies have not been available, I ask unanimous consent that the resolution be considered as read, printed in the RECORD, and that it go over until tomorrow.

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

PARLIAMENTARY INQUIRY

Mr. HALL. Mr. Speaker, reserving the right to object, may I propound a parliamentary inquiry under my reservation?

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. HALL. Mr. Speaker, if this unanimous-consent request that it be considered as read and printed in the RECORD be granted, at what time would a point of order against consideration of the resolution be in order—at this time, immediately, or upon granting the unanimous-consent request or when it is called up tomorrow?

The SPEAKER. The Chair will state in response to the gentleman's parliamentary inquiry that a point of order could be made after it is considered as printed in the RECORD.

Mr. HALL. Would it be in order and would the Chair recognize one for a point of order when it is again called up on tomorrow or at a subsequent date?

The SPEAKER. The Chair will state to the gentleman from Missouri that if the gentleman reserves a point of order at this time the Chair will protect his rights on the point of order.

Mr. HALL. Mr. Speaker, under those circumstances I do reserve the right to make a point of order against this resolution.

The SPEAKER. Would the gentleman withhold that until we have disposed of the unanimous-consent request?

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

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

Mr. RIEGLE. Mr. Speaker, I object.

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

The SPEAKER. The Chair will count.

Two hundred and twenty-five Members are present, a quorum.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

(2) by inserting "the Delegate from the District of Columbia," immediately after "for the use of the Members,"; and

(3) by striking out "or the Resident Commissioner" each place it occurs and inserting by inserting ", the Delegate from the District of Columbia, or the Resident Commissioner".

(C) Clause 1 of Rule IV of the Rules of the House of Representatives is amended by inseritng ", the Delegate from the District of Columbia," immediately after "Members".

(D) Rule VI of the Rules of the House of Representatives is amended by inserting "the Delegate from the District of Columbia," immediately after "Representatives,".

(E) Clause 1 of Rule XXXII of the Rules of the House of Representatives is amended by inserting "the Delegate from the District of Columbia," immediately after "Puerto Rico,".

(F) Paragraph 8(a) of Rule XLIII of the Rules of the House of Representatives and clause (1) of the fourth undersigned paragraph under paragraph (2) of part B of Rule XLIV of the Rules of the House of Representatives are each amended by inserting "and the Delegate from the District of Columbia" immediately after "Puerto Rico".

The SPEAKER. Does the gentleman from Missouri still reserve his point of order?

Mr. HALL. Mr. Speaker, I reserve a point of order against the resolution.

The SPEAKER. The Chair will protect the gentleman from Missouri in his point of order.

MOTION OFFERED BY MR. COLMER

Mr. COLMER. Mr. Speaker, I move that further consideration of the resolution be put over until tomorrow, and that the resolution be printed in the RECORD.

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

The motion was agreed to.

COMPENSATION OF CERTAIN MINORITY EMPLOYEES

Mr. ANDERSON of Illinois. Mr. Speaker, I offer a resolution (H. Res. 6) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 6

Resolved, That pursuant to the Legislative Pay Act of 1929, as amended, six minority employees authorized therein shall be the following-named persons, effective January 3, 1971, until otherwise ordered by the House, to wit: Joe Bartlett and Robert T. Hartmann, to receive gross compensation of $36,000.00 per annum, respectively; William R. Bonsell, to receive gross compensation of $32,090.58 per annum; Tommy Lee Winebrenner, to receive gross compensation of $27,732.60 per annum; Walter P. Kennedy (minority pair clerk), to receive gross compensation of $27,560.00 per annum; and John J. Williams (staff director to the minority), to receive gross compensation of $32,756.16 per annum.

The SPEAKER. The question is on the resolution.

PARLIAMENTARY INQUIRY

Mr. HAYS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state his parliamentary inquiry.

Mr. HAYS. Mr. Speaker, I would like to know from someone on the minority side if this has changed the pay of the people who have just been read off from the last session of the Congress, because if it does then that throws the whole scale out of kilter and there will have to be adjustments presumably made all over the place.

Mr. ANDERSON of Illinois. Mr. Speaker, will the gentleman yield?

Mr. HAYS. I yield to the gentleman.

Mr. ANDERSON of Illinois. Mr. Speaker, it is my understanding that it does not represent a change from the previous session.

Mr. HAYS. They are exactly the same as they were?

Mr. ANDERSON of Illinois. That is my understanding.

Mr. HAYS. Mr. Speaker, I thank the gentleman. I have no objection.

The resolution was agreed to.

A motion to reconsider was laid on the table.

REPORT OF COMMITTEE TO NOTIFY THE PRESIDENT

Mr. BOGGS. Mr. Speaker, your committee on the part of the House to join a like committee on the part of the Senate to notify the President of the United States that a quorum of each House has been assembled and is ready to receive any communication that he may be pleased to make, has performed that duty. The President asked us to report that he will be pleased to deliver his message at 9 p.m., January 22, 1971, to a joint session of the two Houses.

HOUR OF MEETING OF HOUSE OF REPRESENTATIVES

Mr. COLMER. Mr. Speaker, I offer a resolution (H. Res. 7) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 7

Resolved, That until otherwise ordered, the daily hour of meeting of the House of Representatives shall be at 12 o'clock meridian.

The resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING ADMINISTRATION OF OATH OF OFFICE TO HON. WILLIAM M. McCULLOCH

Mr. BETTS. Mr. Speaker, I offer a resolution (H. Res. 8) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 8

Whereas the Honorable William M. McCulloch, a Representative-elect from the State of Ohio, from the Fourth District thereof, has been unable from sickness to appear in person to be sworn as a Member of the House, and there being no contest or question as to his election: Therefore, be it

Resolved, That the Speaker, or deputy named by him, be, and he is hereby authorized to administer the oath of office to the Honorable William M. McCulloch.

The resolution was agreed to.

A motion to reconsider was laid on the table.

The SPEAKER. Pursuant to the authority of House Resolution 8, 92d Congress, the Chair appoints the gentleman from Ohio, Mr. BETTS, to administer the

oath of office to the Honorable WILLIAM M. MCCULLOCH.

JOINT SESSION OF CONGRESS—STATE OF THE UNION MESSAGE

Mr. BOGGS. Mr. Speaker, I offer a concurrent resolution (H. Con. Res. 1) and ask for its immediate consideration.

The Clerk read the concurrent resolution, as follows:

H. CON. RES. 1

Resolved by the House of Representatives (the Senate concurring), That the two Houses of Congress assemble in the Hall of the House of Representatives on January 22, 1971, at 9 o'clock p.m., for the purpose of receiving such communication as the President of the United States shall be pleased to make to them.

The concurrent resolution was agreed to.

A motion to reconsider was laid on the table.

AUTHORIZING SPEAKER TO DECLARE RECESS TOMORROW

Mr. BOGGS. Mr. Speaker, I ask unanimous consent that it may be in order for the Speaker to declare a recess at any time on tomorrow, January 22, 1971, subject to the call of the Chair.

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

There was no objection.

ANNOUNCEMENT BY SPEAKER ON PROCEDURE WITH REFERENCE TO INTRODUCTION AND REFERENCE OF BILLS

The SPEAKER. The Chair would like to make a statement concerning the introduction and reference of bills.

Heretofore on the opening day of a new Congress, several thousand bills have been introduced under adopted rules permitting their introduction by Members and reference by the Speaker. On those occasions, the Speaker announced his intention to examine and refer as many bills as possible, and he asked the indulgence of Members if he was unable to refer all introduced bills.

Since the rules of the 92d Congress have not yet been adopted, the right of Members to introduce bills, and the authority of the Speaker to refer them, is technically delayed. The Chair will state that bills dropped in the hopper will be held until the adoption of the rules, at which time they will be referred as expeditiously as possible to the appropriate committee. At that time, the bills which are not referred and do not appear in the RECORD as of that day will be included in the next day's RECORD and printed with a date as of the time the rules were adopted.

ANNOUNCEMENT BY SPEAKER OF PROCEDURES FOR JOINT SESSION JANUARY 22, 1971

The SPEAKER. The Chair desires to make an announcement.

After consultation with the majority leaders, and with their consent and approval, the Chair announces that on Friday, January 22, 1971, the date set for the joint session to hear an address by the President of the United States, only the doors immediately opposite the Speaker and those on his left and right will be open. No one will be allowed on the floor of the House who does not have the privileges of the floor of the House.

PROCEDURES IN RELATION TO THE PRODUCTION OF WITNESSES AND DOCUMENTS IN COURTS OF JUSTICE

Mr. BOGGS. Mr. Speaker, I offer a resolution (H. Res. 9) and ask for its immediate consideration.

The Clerk read the resolution, as follows:

H. RES. 9

Whereas, by the privileges of this House no evidence of a documentary character under the control and in the possession of the House of Representatives can, by the mandate of process of the ordinary courts of justice, be taken from such control or possession except by its permission: Therefore be it

Resolved, That when it appears by the order of any court in the United States or a judge thereof, or of any legal officer charged with the administration of the orders of such court or judge, that documentary evidence in the possession and under the control of the House is needful for use in any court of justice or before any judge or such legal officer, for the promotion of justice, this House will take such action thereon as will promote the ends of justice consistently with the privileges and rights of this House; be it further

Resolved, That during any recess or adjournment of the Ninety-second Congress, when a subpena or other order for the production or disclosure of information is by the due process of any court in the United States served upon any Member, officer, or employee of the House of Representatives, directing appearance as a witness before the said court at any time and the production of certain and sundry papers in the possession and under the control of the House of Representatives, that any such Member, officer, or employee of the House, be authorized to appear before said court at the place and time named in any such subpena or order, but no papers or documents in the possession or under the control of the House of Representatives shall be produced in response thereto; and be it further

Resolved, That when any said court determines upon the materiality and the relevancy of the papers or documents called for in the subpena or other order, then said court, through any of its officers or agents shall have full permission to attend with all proper parties to the proceedings before said court and at a place under the orders and control of the House of Representatives and take copies of the said documents or papers and the Clerk of the House is authorized to supply certified copies of such documents that the court has found to be material and relevant, except that under no circumstances shall any minutes or transcripts of executive sessions, or any evidence of witnesses in respect thereto, be disclosed or copied, nor shall the possession of said documents and papers by any Member, officer, or employee of the House be disturbed or removed from their place of file or custody under said Member, officer, or employee; and be it further

Resolved, That a copy of these resolutions be transmitted by the Clerk of the House to any of said courts whenever such writs of subpena or other orders are issued and served as aforesaid.

The resolution was agreed to.

A motion to reconsider was laid on the table.

APPOINTMENT AS MEMBERS OF THE HOUSE OFFICE BUILDING COMMISSION

The SPEAKER. Pursuant to the provisions of 40 United States Code 175 and 176, the Chair appoints the gentleman from New York (Mr. CELLER) and the gentleman from Ohio (Mr. HARSHA) as members of the House Office Building Commission to serve with himself.

LEGISLATION ON BEHALF OF TUNA FISHERMEN, AND OTHER MATTERS

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

Mr. VAN DEERLIN. Mr. Speaker, I am today introducing five bills, all of which I believe merit early consideration in this Congress. Two of the measures would deal with drug abuse, one with electoral college reform, one with a vital flood control project for my district, and the final one with the recent rash of illegal seizures and fining of U.S. fishing boats by Ecuador.

I had not intended to reintroduce my bill calling for embargoes on fishery imports from nations that harass our fishing fleet, but recent events leave me no other option.

I was particularly shocked to learn that at least two vessels on loan from the United States—the *Guayaquil* and the *25th of July*—were used by Ecuador in making last week's seizures.

Unfortunately, existing law does not provide for the recall of smaller warships even when they are misused in this fashion. This is an absurd and ludicrous situation that allows our own ships to be sent on high seas forays against our own fishing vessels. I, of course, am aware of the security considerations involved here; naturally, we do not want other nations such as Russia or Cuba rushing in to fill a void created by the precipitate withdrawal of our own military assistance, patrol boats or whatever. But the present arangement is clearly in need of review and possible overhaul, and I am delighted that Chairman GARMATZ of the Merchant Marine and Fisheries Committee is planning early hearings on assuring the rights of our fishermen to operate in international waters.

I feel my bill for cutting off fishery imports is needed more than ever now, in conjunction with other actions by Congress and the Executive to discourage the flagrant violations so casually perpetrated by Ecuador.

My drug control proposals provide for identifying markings on prescription drug tables and capsules, and impose quotas on the production of amphetamines and barbiturates.

As is well known, our busy drug manufacturers now produce enough "speed" to provide every man, woman, and child in the country with an annual supply of about 40 amphetamine pills—certainly an excessive quality for a substance with such limited legitimate medical applications.

The labeling requirement would, I believe, facilitate both the identification of contraband drugs, and the swift determination of effective antidotes in overdosage cases.

I have also introduced the proposed constitutional amendment for the direct popular election of the President in exactly the form in which it was approved by the House in September 1969. While it is most unlikely that such an amendment could now become effective in time for next year's national elections, the shortcomings of the electoral college method of choosing our Chief Executive are just as glaring as ever. No useful purpose will be served by further delays in carrying out this urgently needed reform.

Finally, I am, at the request of the State Department, offering a bill to increase the authorization for the Tia Juana River flood control project, in my district, from $12.6 to $21.5 million. This action is necessary because of the inflationary increase in construction costs since the original authorization was enacted more than 4 years ago. I hope that early hearings can be scheduled on this bill, to assist a project sanctioned not only by our Government but by Mexico as well.

TO AMEND THE SOCIAL SECURITY LAW TO PERMIT WOMEN WITH 30 YEARS COVERAGE TO RETIRE AT 62 WITH FULL BENEFITS

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

Mr. ST GERMAIN. Mr. Speaker, in the last Congress, I introduced legislation to permit women with 30 years of social security coverage to retire at 62 years of age with full benefits. Almost 100 Members of the House cosponsored the measure. Encouraged by their support today I am reintroducing that bill.

The Nation now faces a crisis in unemployment; 4,974,000 people are out of work. That is more than the population of Connecticut; it is more than the population of Maryland. In fact, it is more than the population of 36 of our States. This is a very grave situation and predictions are that the unemployment level will not drop below 5 percent until 1973.

Enactment of the bill I am proposing will serve a dual purpose. It will reward those women who have worked so hard for so long with early retirement. It will also create new job openings for the millions of unemployed in this Nation.

There can be no doubt that women have had a profound effect upon our Nation's economic growth over the past generation. Their importance and representation in our labor force have increased enormously since the 1930's.

Today there are more than 30 million women employed in the United States. They comprise over 38 percent of our total work force. The contribution they are making to our economy is immense.

Recently our gross national product reached an annual rate of over a trillion dollars—10 times the figure of 30 years ago. Women have played a great part in that amazing rise in productivity. I consider the American working woman as one of the marvels of our society. Our economy would collapse without her competence, diligence, and responsible efforts in every segment of our business and professional worlds.

My bill would give some acknowledgment and a measure of recognition to the contribution of women to our Nation's economic and social development over the past generation.

Under present law, women receive 80 percent of their social security benefits if they retire at 62. My bill would entitle them to 100 percent.

To be perfectly honest, Mr. Speaker, I believe the day is fast approaching when everyone in our society will retire at an earlier age. Today, 65 is the commonly accepted figure, but it is certain to drop in the years ahead.

Many people would welcome the chance to retire earlier while their health is still strong and while they enjoy full vigor. But aside from that, there are indications that the employment situation in the future will lead our society to adopt earlier retirement patterns to open up job opportunities for younger persons. From projections by the Bureau of Labor Statistics, we can estimate that by 1990 less than 10 percent of our population will be able to produce 100 percent of our goods. The worklife of our people will have to be modified.

Why should women be allowed to retire at 62 with full benefits, and not men? Is not this clearcut discrimination? As I have suggested, I think the day will come when both men and women retire at 62. I favor it.

But such a proposal would not be realistic in this Congress. The Social Security Trust Fund could not afford it. But my proposal is not beyond our means. And its enactment will point toward a future goal—retirement for both men and women at 62.

Furthermore, giving this advantage to women now, will compensate in some small way for the discrimination in salaries, promotions, and in job opportunities which many women suffered in the past. Such compensation is perhaps especially owed to women who have been working for a long time, such as those with 30 years of social security coverage—as provided for in my bill.

It is my hope that this Congress will be receptive to the merits of this legislation and act favorably on it. Within the week I will invite my colleagues in the House to join me in this effort by cosponsoring the bill.

PROTECTION OF RAMPART RANGE

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

Mr. EVANS of Colorado. Mr. Speaker, I have today introduced a bill which has as its purpose the protection of a most beautiful and famous section of this Nation's public domain.

The area, a segment of the front range of the Rocky Mountains of Central Coloradc called the Rampart Range, runs north from Pikes Peak and forms the scenic backdrop for the U.S. Air Force Academy, the Garden of the Gods, and the famous resorts of Colorado Springs and Manitou Springs. This is one of the most heavily visited areas in the Rocky Mountains. These are the purple mountains whose majesty inspired Katherine Lee Bates to write "America, the Beautiful."

For a century and a half after the white man first looked upon these mountains the area became settled and populated and heavily used—with relatively little damage to its esthetic values.

But, in 1954, a concrete company located a mineral claim in the Pike National Forest on the face of the Rampart Range. It is a short distance north of Pikes Peak, upslope from the Garden of the Gods, and can be seen from almost any spot in Colorado Springs.

In the past decade and a half, this company gouged a grotesque monument to man's environmental recklessness on this beautiful mountain site. It has torn out thousands of tons of limestone and dolomite for use as aggregate—fancy gravel if you will—leaving a gaping wound which festers and grows before the troubled eyes of the residents of Colorado Springs and the visitors who come by the millions to see Colorado's mountains.

There is a feeling of outrage in Colorado that the laws of this Nation have permitted and even encouraged this ugly usage of our public lands.

I, and many others, have tried for years to find a remedy for this gross product of our mining laws. There seems to be none. This Government cannot stop the quarrying. It cannot make the company restore the trees and the wildflowers and the rock formation it has torn away.

But this Congress can say to others: Leave these mountains alone.

My bill calls for the withdrawal of 11,458 acres of the Pike National Forest from location and entry under the U.S. mining laws so that the scenic, esthetic, and environmental qualities of the Rampart Range can be protected.

There is, I believe, ample precedent for this action. These 11,458 acres bracket the Air Force Academy. In 1955, pursuant to Executive Order 10355, 8,858 acres of the Pike National Forest were withdrawn to protect the scenic backdrop of the Air Force Academy.

In 1967 the U.S. Forest Service asked that this same protecton be extended to the other residents and property holders along the Rampart Range. No action was taken.

For this reason, and because of the recommendation of the Public Land Law Review Commission that "large scale limited or single use withdrawals of a permanent or indefinite term should be

accomplished only by act of Congress," I have introduced this bill.

It merits the special attention of the 92d Congress.

AN ALL-VOLUNTEER MILITARY

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

Mr. KASTENMEIER. Mr. Speaker, the traditional view of the draft as an alien institution in a genuinely free society must be preserved, and all attempts to make conscription a permanent, integral feature of American society must be firmly opposed. Given the values of a free society and, indeed, the history of the United States, a volunteer military is not merely the fairest system of military manpower recruitment, it is the only fully fair system. The principle of free men freely deciding on soldiery traditionally has been a value appreciated in the United States.

Entirely voluntary armies fought several wars and protected the Nation in between them. When a draft became necessary, in the massive land conflicts of the Civil War, World War I, and World War II, it was tolerated with the knowledge that it was an emergency measure, what James Madison spoke of as "the impulse of self-preservation," to be dismanteled after the war like other emergency measures that temporarily gave the state unusual control of a man's person and liberty.

After World War II, it also appeared necessary to extend the draft into peacetime for fear another large war could erupt at any time. Since the late 1950's, however, the situation has changed with the development of powerful and sophisticated weapons, the lessened likelihood of a massive land war and the unprecedented, skyrocketing growth of military-age manpower. Still the draft lingers on, an anachronism, lacking even the blessing of tradition.

Today, the draft has produced a crisis of the first degree in our society. Opposition to American involvement in the Indochina war has resulted in many young men seeking political refuge in foreign countries and others remaining here in open resistance to the draft law. Discontent with the draft, however, is more than Vietnam. Many who do not oppose American involvement in that war nevertheless oppose the draft. They point out that the draft is directly counter to American tradition, that it is undemocratic, and that without a declaration of war, it is unconstitutional. In May 1969, I held unofficial hearings on the subject of the draft in my congressional district. These hearings held in Madison, Wis., provided a forum through which citizens, in my district, from varying backgrounds and viewpoints could express their beliefs and attitudes toward the selective service law and its administration. I think it is fair to say that the degree of diversity which the participants contained was so great that the sole common factor among most of them was their opposition to the system through which this country currently conscripts its young men into the Armed Forces. Representatives from groups of as wide an ideological spread as the Young Americans for Freedom and the New Democratic Coalition joined in condemning the Selective Service System and the draft.

A free society must promote the maximum possible freedom and opportunity for self-development for its youth. A voluntary military would preserve the freedom of individuals to serve or not to serve. Or, put the other way, it would avoid the arbitrary power that now resides in the draft boards or a lottery bowl to decide how a young man shall spend several of the most important years of his life, let alone whether his life shall be risked in warfare.

A voluntary army would enhance the freedom of those who now do not serve. The ability of young men to emigrate or to travel abroad has been limited by the need to get the permission of a draft board if the young man is not to put himself in the position of inadvertently being a lawbreaker. Being conscripted or the threat of conscription has been blantantly used as a weapon to discourage freedom of speech, assembly, and protest. The volunteer military meets better than any other proposal the problem of how we can get rid of such coercion.

There are still many, especially among those directly involved in the military and defense leadership who say we cannot end the draft. They have presented a number of objections and reservations about what returning to volunteer service would mean. Many believe that the budgetary costs to the Government would be substantial. The need to raise pay to attract volunteers leads many to feel that a volunteer army would be expensive to maintain. The fact is that it would cost less to man the Armed Forces by volunteers than it now costs to man the military by compulsion, if cost is properly calculated. The cost listed in the Federal budget might be higher, though even that is not certain. But the real cost to the community would be far lower. The real cost of conscripting a soldier who would not voluntarily serve on present terms is not his pay and the cost of his keep. It is the amount of money for which he would be willing to serve. When he is forced to serve, as is presently the case, we are in effect imposing on him a tax in kind equal in value to the difference between what it would take to attract him and the military pay he actually receives. This implicit tax in kind must be added to the explicit taxes imposed on the rest of us to get the real cost of our Armed Forces. If this is done, it will be seen at once that abandoning conscription would almost surely reduce the real cost, because the Armed Forces would then be manned by men for whom soldiering was the best available career. There are some important offsets even on the level of budgetary costs. Volunteers would serve longer terms, a higher fraction would reenlist, and they would have a higher average level of skill. The armed services would waste fewer manhours in training and being trained. Because manpower is cheap to the military it now tends to waste it, using enlisted men for tasks badly suited to their capacities or for tasks that could be performed by civilians or machines or eliminated entirely. Better pay at the time to volunteers also might lessen the veterans' benefits that we now grant after the event. These now cost $6 billion a year or one-third as much as current annual payroll costs for the active Armed Forces, and they will doubtless continue to rise under present conditions.

Another criticism of the volunteer system is that the conversion to it would mean a loss of flexibility in moving from one size force to another. If we are speaking of the ability of the military to respond to a crisis, however, the answer is that we still do have a National Guard and a reserve system, whose essential function is to respond to any crisis and to provide some elasticity in force.

Still another objection to an all-volunteer military is that it is equated with a professional army which could conceivably develop into a potential threat to established political institutions. Such a threat, however, could be expected to come from the officer corps, rather than enlisted personnel, and officers currently are, and have always been, in this country, recruited voluntarily. Further, our proper tradition of civil control of the military has, thus far at least, always been sufficiently strong so that there has been no threat of military takeover. History seems to show, however, that such threats have come from conscript as well as volunteer armies.

There are those who feel a lottery or random selection process would solve the numerous inequities of the draft system. However, the lottery supporters miss the point because the lottery still perpetuates a system of compulsion which is, in itself, the denial of an essential freedom which should be jealously guarded except in times of genuine national emergency.

There also is serious danger in some of the proposals now being offered as alternatives to our present draft law. For example, the idea of national service for youth is an interesting one, but the notion that it should be compulsory or tied to conscription is totalitarian and must be opposed by all Democrats. Similary, the proposal to expand the scope of military induction to include unqualified youth, so that they may receive the educational benefits of the armed services, is highly reminiscent of the procedures of a garrison state. It is not a matter of pride that the best opportunities for self-improvement for underprivileged youth should be offered by the military. This situation is a measure of the default of the larger society, and the war on poverty is not going to be won by giving the military even more control over the lives of young men.

Our Nation's heritage has been one of individual rights, just, and democratic ideals. The volunteer principle has been central to the whole concept of our political development. Conscription, in any form, abridges freedom and erodes faith in the Government while, at the same time, frustrates the individual in his desire to participate freely in a free society. The doctrine of allowing people to choose voluntarily the direction of their

lives is most compatible with our heritage, and we would be wise to return to the spirit of the founding of our Republic and end the draft with the hope of never having to resort to its use again.

Mr. Speaker, with this goal in mind, I am introducing legislation, today, to abolish the draft by December 31, 1971, and replace it with an all-volunteer military.

Mr. Speaker, I also am introducing another bill which would prohibit the use of draftees in undeclared wars without first obtaining their consent. Conscripts should not be forced to serve in any hostility in which Congress has not declared a state of war.

IMMEDIATE NEED FOR SOCIAL SECURITY INCREASE

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

Mr. VANIK. Mr. Speaker, as we start the first session of the 92d Congress, our first action should be the enactment of the social security increase which was stalled in the last Congress.

In the meanwhile, the inflationary impact continues without restraint as a critical burden on the elderly in retirement. The cost of living has skyrocketed since the last social security increase and further increases in the cost of living this year will continue to widen the gap between the social security benefits and the cost of living. A congressional committee in the other body has recently reported that over 25 percent of the elderly over 65 are living in poverty.

For these reasons, the increase in social security benefits should not be deferred until action is taken on the administration's broad-scale family welfare program which could delay increased benefits until September.

I hope that the House will very quickly enact across-the-board increases in social security of not less than 10 percent with an increase in the minimum payment to $100, and an increase in the retirement earnings test to $2,400.

These provisions should be made effective January 1, 1971.

THE ERA OF THE 1970'S

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

Mr. JAMES V. STANTON. Mr. Speaker, today's opening session of the 92d Congress marks the beginning of a new effort to meet the challenge of the social issues of the day.

It is my hope that the leadership of the Honorable CARL ALBERT of Oklahoma and the Honorable HALE BOGGS of Louisiana will unite the country on these issues. Of immediate concern is the need for legislation covering national health insurance and Federal revenue sharing with the cities.

This session also marks the beginning of a new decade. I hope the era of the 1970's will see our country of ending poverty, controlling pollution, and making a lasting peace with the same determination that saw the United States land the first man on the moon in the 1960's.

DEATH OF MISS JUDY CELLER

(Mr. CAREY asked and was given permission to address the House for 1 minute.)

Mr. CAREY. Mr. Speaker, it is with deep regret I announce, as secretary of the New York delegation, that on last evening the daughter of our beloved dean, EMANUEL CELLER, Miss Judy Celler, passed away. Mr. CELLER therefore is not with us today.

I know the New York delegation will have many Members of this body joining with us as we extend to our deeply beloved dean our deep sympathy on the passing of his beloved daughter.

JOHN W. McCORMACK

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

Mr. COLLIER. Mr. Speaker, although I voted for your distinguished opponent, the gentleman from Michigan, I offer my heartiest congratulations and best wishes as you assume the tremendous responsibilities of your new position as Speaker of the House. At the same time, I hope that you will be able to shed those burdens at the beginning of the 93d Congress.

While I have the floor, I want to pay tribute to the man whom you succeeded, the only Speaker who ever retired from that high office. While John W. McCormack occupied the Speaker's chair from January 10, 1962, to January 3, 1971, his congressional service covered a period of over 42 years. He served for three decades in positions of leadership.

Congressman McCormack first took the oath as a Representative from Massachusetts on November 6, 1928. He became majority leader less than 12 years later and served in that capacity from September 16, 1940, to January 3, 1947, from January 3, 1949, to January 3, 1953, and from January 3, 1955, to January 3, 1962. During the two intervals of one term each he was minority whip.

During his 42 years in the House of Representatives, John W. McCormack was always a loyal Democrat, but his loyalty to the United States of America transcended party loyalty. Whenever a matter involving the national security was before the Congress, partisanship was temporarily laid aside and John McCormack gave his wholehearted support to the President, regardless of whether a Republican or a Democrat occupied the Executive Mansion.

When Nikita Khrushchev visited the United States in 1959, John McCormack, then the majority leader, adamantly opposed the suggestion that the Soviet dictator be permitted to address a joint session of the Congress and the matter was dropped.

From November 22, 1963, when John F. Kennedy was assassinated, until January 20, 1965, when Lyndon B. Johnson became President as the result of election to that office, John W. McCormack stood next in the line of succession to the Presidency, inasmuch as there was no Vice President during that period of 14 months. For a brief time immediately after President Kennedy's death, it was rumored that Vice President Johnson had also been assassinated. Had the rumors proved true, John McCormack would have succeeded to the greatest office in the world.

During those rumor-filled hours on the afternoon of November 22, 1963, and during the months that followed between then and the next Inauguration Day, John McCormack conducted himself with dignity and attended strictly to his duties as a Member from Massachusetts and Speaker of the House, refusing to engage in discussions about what he would do if he suddenly became President.

When the suggestion was made by a Democratic President that the United States would never strike the first blow during a showdown with the Soviet Union, John McCormack was on record as favoring a first strike under certain circumstances.

During an afternoon when those who opposed our participation in the war in Vietnam occupied the floor, Speaker McCormack saw to it that their rights under the rules of the House were protected, but those who were present were aware that he had no sympathy with those who were giving oratorical aid and comfort to our Nation's enemies.

Several years ago, when striking District of Columbia schoolteachers visited the Speaker in his office, they not only received no sympathy from John W. McCormack, but were bluntly told that their place was with the pupils who had been entrusted to their care. The Irish in him was likewise aroused when he let demonstrators know that their crude methods were not the correct ones to use when petitioning the people's representatives for a redress of grievances.

It is my earnest wish, as I know it is that of all my colleagues on both sides of the aisle, that his years of retirement will be pleasant ones.

VISITORS ON THE FLOOR OF THE HOUSE

(Mr. CHARLES H. WILSON asked and was given permission to address the House for 1 minute.)

Mr. CHARLES H. WILSON. Mr. Speaker, I take this time to make an inquiry.

Mr. Speaker, I was concerned during the voting ceremonies this afternoon by the number of wives who were sitting on the floor of the House. It appeared to me that this was against the rules of the House.

It seems to me, considering the evening scheduled for tomorrow, where we again will have a very large attendance on the floor of the House, we must instruct in some manner those who are in charge as to what the rules are, and as to who should be on the floor of the House.

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

Mr. CHARLES H. WILSON. I am happy to yield to the gentleman from Iowa.

Mr. GROSS. I certainly agree with the gentleman. There were far too many here who were unauthorized personnel. The Speaker has already announced, however, that tomorrow only persons authorized can be on the floor of the House.

Mr. CHARLES H. WILSON. I am sorry I missed that. I am happy to have that assurance.

INTRODUCTION OF "EXTRA-CARE" HEALTH PLAN

The SPEAKER pro tempore (Mr. ROONEY of New York). Under a previous order of the House, the gentleman from Missouri (Mr. HALL) is recognized for 10 minutes.

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

Mr. HALL. Mr. Speaker, not too many years ago, I stood at this same lectern and participated in spirited debate over legislation that eventually became known as medicare and medicaid. At that time I predicted that the projected costs for these plans were pathetically underestimated. Unhappily, that prediction proved to be true, yet those same kind of "planners" who led us down that economically irresponsible path have succeeded in throwing off their "mantel of mistakes" while transferring it to the shoulders of others, and are back again with a plethora of bills and ideas, designed to solve a so-called "health crisis" that has price tags running as high as $77 billion annually. Surely by now the Members of this body have learned that vast expenditures of money solve no problems. In fact, it creates even more.

Let me hastily add that I am not here today to bury national health care, but to raise it to a level that will enable all Americans, and I do mean all, to receive quality health care, yet leave intact the principles of the free marketplace that is after all the very heart of this Republic.

Today, I am once again introducing a new concept in health insurance, national in scope, which will guarantee that no American citizen, rich or poor, need ever go bankrupt as a result of a prolonged, or catastrophic type illness or injury.

Mr. Speaker, my bill will accomplish this, at a cost the taxpayers can afford, and the State Governors should embrace. It does the job that needs to be done and does not attempt to stake out new ground for the Federal Government that is better left to the private sector.

I have named the legislation "Extra-Care" for that is its concept, to provide the extra health care of highest quality, that the American people are unable to provide for themselves. No more, no less.

It is not a decision that I have arrived at hurriedly, but comes as a result of many years service in the field of medicine and additional tenure in the Congress. I have had frequent and enlightening consultations with members of the Committee on Ways and Means from both sides of the aisle, as well as many others deeply involved in the Nation's health problems.

The need for my legislation was pointed up in a recent Sylvia Porter column written for the Washington Star. Mrs. Porter, suggesting ways for individuals to cut medical costs while maintaining quality care, wrote:

> Concentrate your health insurance dollars on major medical insurance, covering catastrophic illness.

She continued:

> Examine your health insurance policies, group and individual, to see whether you're overloaded with "first dollar" coverage which may have limits of only $5,000 to $10,000.

Mr. Speaker, catastrophic illness is a specter that haunts most Americans. Few are so rich as to view, with financial equanimity, the prolonged illness requiring hospitalization, continuing medical care, and the mustering of these enormously sophisticated—but enormously expensive—resources of modern medical science.

Such cases are statistically rare—not that this is of any comfort to a bankrupt father, the son who must abandon college, the wife who must go back to work in order to help pay the bills. But rare as they are, either we know someone who has been the victim of a catastrophic illness; or we know someone who knows someone. And we say to ourselves: "There but for the grace of God go I."

The fear of catastrophic illness haunts the entire middle-income group of Americans, even those whom we could categorize as "prosperous."

My bill would lay that fear to rest forever. Let me explain it briefly, Mr. Speaker:

In essence, this measure would serve a twofold purpose. It would provide for those who are unable to provide for themselves. And it would assist those who can care for their own needs, yet run the risk of being wiped out, in the event of extensive and prolonged medical expenses.

Let us examine the first of those categories—those who are eligible for help under medicaid. We are talking now of some 10 to 12 million people. As of now, the program costs more than $4.5 billion a year, or somewhere in the neighborhood of $400 per person covered. Roughly 60 percent of that payout is Federal.

My bill would replace the present "title XIX" program—medicaid.

And under its provisions, those who are presently covered would be provided with a basic health insurance policy purchased for them by the Federal Government. This policy would be bought from the regular, established, private health insurance companies—Blue Cross, Blue Shield, or the commercial carriers. The Federal Government would pay the premiums. The policy would be required, by statute, to offer a basic package of benefits to be determined by the Committee on Ways and Means.

In order to preserve the Federal-State relationship—which is a right and proper one—the State would be asked to participate in the cost whenever a beneficiary used up the benefits of the federally purchased coverage. On the average that State's share would amount to about 15 percent of the total cost. Thus, the Federal share would be 85 percent, and we could budget and depend upon it. Based on the $400 average cost of medicaid each year for an individual, the States' share of the matching funds would be sharply reduced, enabling the States to take on the responsibility of paying for the financially devastating, but rarely encountered expenses of the so-called catastrophic cases.

I submit, Mr. Speaker, that the States would find this arrangement attractive for three reasons:

First. It would cost them far less than they are spending at present.

Second. It would enable them to plan, budget and appropriate much more easily, for there would be a more accurate basis upon which to plan and work.

Third. The States would continue to act in their traditional role of assuming responsibility for long-term care—just as they have assumed responsibility in decades past for the care of the chronic cases, such as the tubercular and the mentally ill.

As for the Federal Government, its cost under this phase of my bill would be increased by about $1.5 billion a year. On the other hand, it too would be able to plan, budget, and appropriate more intelligently with the elimination of sudden fluctuations, unpredictabilities, and immeasurables, stemming from a variety of other causes.

As for eligibility requirements, my bill provides for the flexibility which only State-set standards could provide. Clearly, eligibility requirements vary from area to area and are determined by economics, definitions, and cost-of-living figures. Where the cost of living is high—as in New York City, or Washington, D.C.—eligibility for this coverage might be set as high as $4,500 a year for a family of four. Where living is less expensive, the figure might be somewhere in the neighborhood of $2,600 a year.

The point is, Mr. Speaker, when the States set the standard individually, they are able to reflect these area differences. A national standard would be like a procrustean bed—too long for some, too short for others, requiring that legs be lopped off or stretched in the name of uniformity.

So much for how the bill proposes we handle catastrophic illnesses encountered by those who are presently covered by medicaid.

What of the others? What of the vast majority of Americans who are financially able to buy their own basic health protection, but who cannot cope with the burdens imposed by a catastrophic illness?

This bill proposes a solution to their problem, too.

Upon discussion with insurance company actuaries, I learn that the average health insurance policy provides protection against costs up to about $5,000. Such policies assure the beneficiary of basic, high-quality health care.

The problems arise when those benefits have been exhausted.

For like most of us, Mr. Speaker, nearly everyone who carries this protection becomes financially vulnerable from that exhaustion point, forward.

Here is what I propose we do to remedy matters:

First. The Secretary of Health, Education, and Welfare would establish a catastrophic health insurance program for every American with an income above the level of medical indigence.

Second. Those who contribute to social security would be required to pay an additional four-tenths of 1 percent on their taxable earnings, which would be matched by their employers.

Third. Those who are not in the social security framework would pay four-tenths of 1 percent of their taxable earnings, based on their income tax return, up to the maximum social security base, which is now $7,800 a year.

Fourth. All persons with gross nonearned income in excess of $2,000 would pay four-tenths of 1 percent on such earnings, on their income tax return. There would be the proviso that no one individual would pay more in total than four-tenths of 1 percent, times the maximum taxable earnings base under social security.

Fifth. According to the estimates I have received, the income from these tax sources would approximate $2.5 billion annually. It would be placed in a Federal health care trust fund.

Sixth. From this pool, the Social Security Administration would provide 90 percent reimbursement of the cost of health and medical expenses for the individual and his dependents, whichever exceeds the larger of two sums. The first of these is an expenditure of $5,000, whether or not it was derived from health insurance. The second would be 25 percent of the gross income of the individual and his dependents.

Those of our citizens who are 65 years of age or older are, of course, protected by title XVIII—medicare. For these people, my proposal would apply to medical expenses actually paid by the individual in excess of the larger of two sums: First, 25 percent of the gross income of the individual and his dependents; or, second, $1,000.

Mr. Speaker, these are the highlights of my proposal. Let me say that all Government efforts to date, have been directed at providing first-dollar coverage. Invariably, first-dollar coverage entails high administrative costs, for it requires that many small claims be processed. Thereby, the substance of the program is eroded. My aim is to protect the public from disastrously high costs, give meaningful relief to those hardest hit by extensive medical expenses, and at the same time, make the greatest use possible of the dollars available. "Extra care" will do just that. You will note that in recent months it is being copied by many. I am glad of this, and have often stated that herein is no pride in authorship. I hope many and all will study and then vigorously support this concept.

Mr. CORMAN. Mr. Speaker, will the gentleman yield to me?

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

Mr. CORMAN. I may have missed something, but did I understand that the gentleman proposes to replace medicaid with a catastrophic illness insurance policy?

Mr. HALL. No; I am sure that when the gentleman reads the complete text of my abbreviated statement in the RECORD here he will understand it is not true.

Actually, what happens is that title 19 of the medicaid portion of the Medicare Act, as we know it, will be replaced by a trust fund established for free insurance, but only that portion of catastrophic need can be submitted by the States which will go for the catastrophic portion of this proposal. Medicaid itself will continue under the direction of the States and under the provisions which are being created and established by the distinguished Committee on Ways and Means. In other words, this is exactly the same proposal that I submitted to the distinguished gentleman's committee last year.

Mr. CORMAN. Mr. Speaker, if the gentleman will yield further, it may be that the gentleman and I will be on opposite sides on this question or issue when we start looking at the President's proposal and the gentleman's proposal and the one that Senator KENNEDY and I introduced today, but I think it is most important to note the high cost of health care and recognize it. In my opinion we do a disservice to the American people if we underestimate the cost of such care and I think the gentleman shares that view.

Mr. HALL. I not only share that view but I think the social do-gooders that insist upon spending money that we do not have have overlooked or misplaced the reasons for the high cost of medical care. I have reference to hospital care, nursing care, dental care, drug care, and doctor care and, in my opinion, they do a disservice to the Nation and to a plan which should be made to work. My only attempt is to make the existing plan better and make it work. I am not so sure that the gentleman and I will be on opposite sides of the question if he will just read and study the detail which I have worked out over the past 6 years after much research.

I have been a practicing physician and I am familiar with the operation of hospitals and have the legislative experience along with the gentleman from California as to the facts of life.

We are in a time of great technical breakthrough and more social needs. There is no question about that. In my opinion we will have come a long way under my submission of this well-researched recommendation in the form of a bill toward meeting the signs of the time, the technological breakthrough not only in transportation, communications, and other fields but in the medical field as well. I think, perhaps, the gentleman and I will agree or come close to agreeing on this subject by the time this bill comes out of the gentleman's committee to the floor of the House.

Mr. CORMAN. Mr. Speaker, if the gentleman will yield further, I know that the gentleman has a great concern for medical care based upon his vast experience and I do hope that we can do something along this line. I say again I share the view that we should not promise people something at a bargain basement level and then have them disappointed, because as I understand these provisions and those which have been considered by the Committee on Ways and Means, there is not all that much waste and skullduggery in the medical care field with people running down to the doctor because it is free but, rather, that many more people are ill and need care than we estimated and we ought to be realistic about it.

Mr. HALL. We in dealing with this question of providing care ought to be honest as to what it is going to cost and how it is to be financed.

I thank the gentleman for his contribution. I think we are in agreement when he says let us not only be honest as to what it will cost, but let us adopt and bring out of the committee a bill that we can afford to implement. Let us get the proper State-Federal relationship while at the same time preserving the quality of medical care with the personnel that we have and which will be available in the foreseeable future, while eliminating the possibility of family ruin with the vegetable cases, the severe traumatic accident cases that cannot be repaired, or the prolonged cost of tubercular care or severe mental illness. I commend this to the gentleman and I think we should consider the best possible approach to the solution of this problem.

I appreciate the gentleman's participation in this colloquy.

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

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

Mr. DON H. CLAUSEN. As I understand the essentials of this proposal, it is to follow the principle of participating insurance and expand on that which has been approved with reference to the insurance policies and the hospital service plans and also to consider the free insurance aspect. Is this, in effect, what the gentleman says?

Mr. HALL. That is exactly correct. The gentleman has named it well, it not only is participating insurance, but it is preinsurance through existing agencies. It would do absolutely no damage to the hospitalization plan, and it would do absolutely no damage to the "Blues," whether they be Blue Cross or Blue Shield, or other private insurers who are doing such a good job as intermediaries under the medicare and medicaid plans.

This is designed for that purpose, and I will repeat, so as to maintain the quality of care while eliminating catastrophes from the families in the United States of America and assuring good care for all who need it.

Mr. DON H. CLAUSEN. If the gentleman will recall, the matter of medicare was debated, and a number of programs were presented initially. I have advanced some along these lines, and I am most pleased to see that the gentleman has followed through with his own individual expertise as a man of the medical pro-

fession to now bring this into the legislative process for consideration.

I look forward to working with the gentleman very closely on this matter, and I commend the gentleman for doing this.

Mr. HALL. Mr. Speaker, I thank the gentleman for his comments.

TO PROVIDE THAT THE FISCAL YEAR OF THE FEDERAL GOVERNMENT SHALL COINCIDE WITH THE CALENDAR YEAR

The SPEAKER pro tempore (Mr. ROONEY of New York). Under a previous order of the House, the gentleman from Illinois (Mr. MICHEL) is recognized for 10 minutes.

Mr. MICHEL. Mr. Speaker, we face a multitude of problems as we begin the 92d Congress, and one of the problems which requires our immediate attention and action is the Federal fiscal year system.

During the past four Congresses, only eight of 102 regular appropriations bills have become law before the beginning of the fiscal year to which they pertained. During the 91st Congress not one—I repeat—not one regular appropriation bill was enacted before the fiscal years beginning July 1, 1969, and July 1, 1970.

This situation is disruptive not only of the Federal budgetary procedure, but also of the management and planning of State and local budgets all over the country.

Under present conditions when it is almost impossible to send all appropriation measures to the White House before the first of July, uncertainty is the watchword in thousands of offices at all levels of government, in public institutions and private industry.

Officials of educational institutions do not know how much money will be available for construction of buildings, for popular ongoing programs, for scholarships or for salaries. Hospital administrators are in the dark, not knowing what Federal funds will be forthcoming for hospital construction or for research. Badly needed housing cannot be built unless those responsible for construction know how much money they can expect.

Federal agencies operate on continuing resolutions, spending at the prior year's level without knowing whether they are underspending or overspending. Naturally, some allotments to local governmental units are not committed since the agencies do not know whether or not they will have the funds.

The need for a change in the fiscal year system has become more critical as more activities are financed in part by the Federal Government in cooperation with local governmental units.

Having served in this body since 1957 and having been closely associated with its operations since 1949, I have seen the Federal budget grow from less than $41 billion annually to more than $200 billion.

As a member of the House Appropriations Committee, I have watched and waited while the 40 or so authorization bills were stalled in Congress, necessitating a rush of tardy appropriations during the legislative logjam that occurs near the end of a late-running session of Congress.

The situation has gone from bad to worse, and it is time we came to grips with at least those aspects of the problem which can be changed if we want badly enough to change them.

Today, 68 of my colleagues and I are introducing legislation which would contribute significantly to the alleviation of this problem.

We believe this 92d Congress should revamp the Federal financial system by making the Federal fiscal year coincide with the calendar year.

It would appear on the surface that the use of the calendar year instead of the present fiscal year would make little substantative difference in Federal budgetary and appropriation procedure. It would, in fact, make little difference in the actual physical operation of the Congress. The importance of this change, however, lies in the fact that it would push the start of the fiscal year 6 months into the future, providing more time for hearings, more time for calm deliberation, more time for debate on the floor and more time for oversight of Federal expenditures.

Most important, millions of Americans as individuals, groups, organizations and, above all, the 50 States would be far better off knowing in advance what the Federal budget for the next fiscal year will be. They would be able to plan to better advantage and they would be in a position to obtain the greatest return for each Federal dollar appropriated. The real significance of this change would be in giving the various instrumentalities of government, including State and local as well as Federal, time to budget their funds properly, spend their money wisely and make their dollars go further.

We do not present this proposal as a panacea, Mr. Speaker, for many problems would remain even if this change were made. We do feel, however, that our proposal represents a better way of doing business than under our present system.

In my remarks here this afternoon, I do not intend to lay the blame for the present situation at anyone's doorstep. A variety of factors is responsible for Congress inability to clear appropriation bills before the first of July each year. The fact remains, however, that we can help alleviate some of the problems we face by making this change in the fiscal year, and I urge my colleagues who have not already joined us in sponsoring this legislation to lend their support to our proposal and press for early action on it.

The text of the legislation follows:

A BILL TO PROVIDE THAT THE FISCAL YEAR OF THE UNITED STATES SHALL COINCIDE WITH THE CALENDAR YEAR

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

Section 1. Effective with the fourth calendar year which begins after the date of enactment of this Act, the fiscal year of all departments, agencies, and instrumentalities of the Federal Government and the government of the District of Columbia shall be the calendar year.

Section 2. The Director of the Office of Management and Budget shall provide by regulation, order, or otherwise for the orderly transition by all departments, agencies, and instrumentalities of the Federal Government and the government of the District of Columbia from the use of the fiscal year in effect on the date of enactment of this Act to the use of the new fiscal year prescribed by Section 1 of this Act. The Director shall prepare and submit to the Congress a draft or drafts of such additional legislation as be considered necessary to accomplish this objective.

INCREASE SOCIAL SECURITY BENEFITS IMMEDIATELY

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Iowa (Mr. SCHWENGEL) is recognized for 10 minutes.

Mr. SCHWENGEL. Mr. Speaker, I can think of no more urgent legislation and no legislation that could pass this House more easily than a 10-percent increase in social security benefits. I realize that our good friend, the honorable chairman of the Committee on Ways and Means, has promised early action on social security and welfare legislation and I commend his action in introducing at the very first possible moment a bill which will be the basis for the committee consideration of this important piece of legislation. I do, however, feel compelled to temper my admiration for this prompt action with a few words of warning which I hope the House will note.

Mr. Speaker, our intentions are good, but we all know which road is paved with good intentions. In the 91st Congress, our intentions were good. We were faced with a number of social security and welfare problems and today we are still faced with the same problems. The legislation which we passed and sent to the other body late in the spring was considered there right up to the final hours of the Congress, and on the very last day of the year the Senate-passed bill was returned to this House with 295 numbered amendments. It would have taken the patience of a saint, the mind of a genius and the speed of our fastest computers to have digested such a vast number of changes in the time available. And, now we are in a new Congress with the same dreary passage before us. The differences which existed between the two bodies on New Year's Day are still with us. I see no prospect for an early resolution of these differences. Therefore, I urge that we move with all possible speed to do now what is possible now—pass a 10-percent benefit increase now.

Toward the end of the first session of the last Congress when we were faced with the same situation the Committee on Ways and Means recognized what was possible and what was not. Realizing that the problems related to welfare and to social security reform could not be resolved without prolonged debate, the committee—in the nature of an emergency measure—reported out the Social Security Amendments of 1969—a simple bill which did nothing more than provide some 25 million people with a 15-percent increase in their social security benefits. The Senate cooperated and without hearings attached the provisions of our social security benefit increase bill to the Tax

Reform Act then pending on the Senate floor. In this way, we were able to give people a badly needed benefit increase which the events which transpired later in the year proved would not have been possible otherwise.

Mr. Speaker, at the time we passed the 1969 benefit increase, we promised social security beneficiaries that that would not be the end of the matter. We gave them to understand that an additional benefit increase would be forthcoming sometime in 1970. In the House, we lived up to our understanding and late in the spring sent a bill which included, among other things, a 5-percent benefit increase which was to be effective for this month. In the Senate, the increase was doubled to 10 percent, also effective for this month. However, as much as these increases are needed, the millions of people—retired and their dependents, disabled people and their dependents, widows and orphans—who depend on social security as their main source of regular income are still waiting for their increase. Worse though, is the prospect that come next July 4 they will still be waiting. And, nothing in the evidence I have seen up to this point gives me any great hope that they would not be waiting then if we persist in tying social security benefit increases with welfare reform and other social security improvements.

We know what has to be done, what might be done and what we can do now. Specifically, we know that we can pass a 10-percent social security benefit increase, if not today, then before the end of the next week. We know that a comprehensive bill will take months and months to enact. We know that. We will not pass it today, or next week or next month if we count on using the political clout of a benefit increase to ride roughshod over the many objections to specific welfare and social security changes. The social security benefit increase is being held hostage for a number of other provisions to which a goodly number of the Members of both bodies object. To insist on keeping the benefit increase tied with all the other charges is political blackmail that I, for one, will not put up with. And, I urge all of the Members of this body to do the same. If we were to pass a 10-percent social security benefit increase without any other change, I am sure that we could then get all of the other social security changes and the welfare changes out in the open where in a free and open discussion the House, and in in its turn the Senate, could work its will on them without fear of harming the millions of people who depend on social security benefits for the food in their mouths and the roof over the heads.

Mr. Speaker, I serve notice on the House that this is not the last I will say on this matter. On each and every day that the House is in session I intend to take the floor and exhort the Chamber to do right until a benefit increase is sent to the Senate. I hope that I will have little opportunity to do this because the matter is too important for political argument. When the welfare of the Nation's elderly, disabled, widowed, and orphaned is at stake, politics should take a back seat. We know what is right. We know what we should do. We know what we can do. We should put politics aside. We should pass a 10-percent social security benefit increase now. The need is obvious. Even should we pass the increase today, the increased benefits cannot be paid for about 3 months. It will be May before the benefits can be paid no matter how fast we act. Let us do it now rather than put it off from month to month until we wake up someday to the fact that the increased benefits cannot possibly be paid until after Christmas.

LEGISLATION WHICH SHOULD HAVE PRIORITY

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

Mr. PERKINS. Mr. Speaker, on this, the opening day of the 92d Congress, I am introducing a number of pieces of legislation which in previous Congresses would command considerable priority. In view of the hardship imposed by growing unemployment and the stagnation of economic activity these bills are critically important. In this Congress there is an urgent need for assigning them the highest priority to enable their prompt enactment.

In the closing days of the last Congress there was passed by both Houses the Comprehensive Manpower Act which for the first time included as a part of the manpower package a job-creating program of public service training and employment. It was vetoed by the President. I am today introducing a bill designed to provide authority for a public service employment and training program without any other provisions of the Comprehensive Manpower Act. The manpower legislation thus streamlined to enable the Congress to give it prompt study because of its reduced detail can be enacted into law at the earliest possible moment.

This bill will provide job and companion training opportunities for the unemployed and municipal and county governments performing essential public services in the fields of health, welfare, conservation, and government administration. At the same time, its training components can afford an opportunity for persons employed pursuant to its provisions to obtain and retain worthwhile employment.

Many programs under the various legislative enactments providing support for institutions of higher education and providing financial assistance to students to defray the mounting cost of attending college are due to expire in a short time. I am introducing a comprehensive bill designed to strengthen and extend provisions of the National Defense Education Act, the Higher Education Facilities Act of 1963, the International Education Act, and the Higher Education Act of 1965 so that the Federal commitment to excellence of offerings in higher education and broadened opportunities for young people to pursue careers in higher education can be fulfilled. This bill does not include several important areas of higher education which I will treat in subsequent introductions early in this session.

I am introducing bills to extend and improve elementary and secondary education programs and to authorize Federal funds for school construction. Such legislation is of vital importance if we are simply to maintain our present standards of quality in elementary and secondary schools which are confronted with increasing inability to finance schools solely out of property taxes. I am also introducing the Mobile Teachers Retirement Act. Shortly, I will introduce legislation to improve and extend vocational education programs.

I am also introducing today a bill to extend and authorize new funds for the Appalachian regional development program. In conjunction with the long-range problems with which this legislation deals, I am joining a number of my colleagues today in sponsoring comprehensive antirecession public works legislation.

One of the priority measures to be considered by this Congress is the Economic Opportunities Act which expires on June 30. I am today introducing legislation recommending a 5-year extension.

I am introducing a bill today to eliminate several inequities that have developed in the administration of the black lung benefit provisions of the Coal Mine Safety Act of 1969 and a bill to extend the black lung benefit authorizations. Principal among the inequities is one which arises by an administration of the black lung compensation provisions which treats the program as though it were workmen compensation programs when the Congress clearly said that it was not. This administrative determination results in denying benefits to many eligible sufferers of pneumoconiosis by reducing social security payments for the amount of black lung benefits paid.

I am also introducing legislation to encourage the States to improve their workmen's compensation laws to assure adequate coverage and benefits to employees injured in employment and legislation to compensate uranium miners suffering disability or death from lung cancer resulting from exposure to iodizing radiation in the mines.

The legislation that I am introducing today and that I have discussed above by no means are all inclusive nor do they complete the list of legislation which I will sponsor early in the 92d Congress, but the urgency of the matters dealt with in this legislation prompts me on the first day of this session to place them before my colleagues for their immediate analysis and study.

NATIONAL CATASTROPHIC ILLNESS PROTECTION ACT OF 1971

The SPEAKER pro tempore (Mr. ROONEY of New York). Under a previous order of the House, the gentleman from Maryland (Mr. HOGAN) is recognized for 30 minutes.

Mr. HOGAN. Mr. Speaker, today I have introduced a bill, the National Catastrophic Illness Protection Act of

1971, which I originally authored and introduced in the 91st Congress. This legislation, which I consider to be extremely important, received bipartisan support and sponsorship in both the House and the Senate at that time.

I am pleased to say this proposal is again receiving bipartisan support in the 92d Congress. Those Members joining me today in introducing this legislation are: MARK ANDREWS of North Dakota, JAMES A. BYRNE of Pennsylvania, TIM LEE CARTER of Kentucky, SEYMOUR HALPERN of New York, JAMES F. HASTINGS of New York, AUGUSTUS F. HAWKINS of California, PETER N. KYROS of MAINE, ROMAN C. PUCINSKI of Illinois, ROBERT A. ROE of New Jersey, WILLIAM L. SCOTT of Virginia, and LAWRENCE G. WILLIAMS of Pennsylvania.

The National Catastrophic Illness Protection Act of 1971 would, if enacted, allow our Nation's families to protect themselves against the scourge of catastrophic illness. The bill would provide the mechanism for such protection in a manner which could involve a very small Federal expenditure.

Catastrophic illness, by definition, would comprise those illnesses which require health-care expenses in excess of what normal basic medical or major medical coverage provides protection for. Once a family finds itself faced with having to pay for health-care costs of an extended nature, they are saddled with a financial burden that is staggering to comprehend.

Imagine, if you will, what it means to finance for years hospital care which will run between $80 and $100 a day after your routine insurance has been exhausted. For middle-income Americans who earn too much to receive welfare and who are not rich enough to even begin to meet such obligations, the result of catastrophic illness is instant poverty. The family is driven to its knees.

Such a family, which has probably already watched one of its members incapacitated and perhaps destroyed medically, also finds that its financial stability has disintegrated. Usually, private hospitals cannot afford to provide care after the family can no longer afford to pay for the hospital's services. This means that the afflicted member of the family must be transferred to whatever public facility exists to treat patients under such circumstances. Unfortunately, these public institutions are often understaffed, underequipped, and horribly overcrowded. All too often they become depositories where families must leave their children or other loved ones, because the doors of all other possible assistance have been slammed in their faces.

Catastrophic illness does not refer to a specific or rare disease. It is any disorder—from the exotic calamity to the common coronary. It is the fall from a stepladder in a home, a highway accident, or even the untimely sting of a bee, which cost one family over $57,000. It is anything that happens to any of us that causes medical expense in excess of what the actuaries tell us we should expect. Virtually every family becomes medically destitute when that point is reached. Fortunately, only a small portion of medical cases are of such magnitude. But for the thousands of families who, through no fault of their own, find themselves pummeled into such an abyss, there is—currently—no hope.

While catastrophic illness is nondiscriminating in whom it attacks, when it attacks and where it attacks, it seems that a tragically high number of these cases involve children. When a child is the victim, the parents are often young marrieds who find themselves depriving their healthy children of a wholesome family life in order to finance the health care of a sick child. Often, the havoc is so great that the young couples must watch their dreams go down the drain as all present and future planning is marshaled toward the single goal of finding the money to pay for their ill child's care. While nearly all of the pediatric diseases that are catastrophic are individually rare, in the aggregate they afflict more families than most of us would imagine. The list of obscure diseases such as Tay-Sachs disease, Niemann-Pick disease, Gaucher's disease, Fabrey's diseaes, metachromatic-leukodystrophy, leukemia, muscular dystrophy, myasthenia gravis, and the scores and scores of other maladies that destroy our people at enormous emotional and financial cost to their families appears endless.

Obviously, when catastrophic illness strikes the head of a household—the breadwinner—the disaster is compounded.

We are too great a nation to stand idly by—leaving our families that are victimized by catastrophic illness to their own devices. They have no devices. They are alone.

The legislation which I am proposing will go a long way toward mitigating against the problems of catastrophic illness because it will stimulate our insurance industry to provide coverage that will allow any family to protect itself fully against the costs of catastrophic illness. The legislation would foster the creation of catastrophic illness—or extended care—insurance pools similar to those that have been successful in making flood insurance and riot insurance feasible.

Because all participating insurance companies would be required to promote the plan aggressively, and because we would be dealing, statistically, with a small minority of all claims, the cost per policy should be low. As more people buy this new protection as part of their health care progam, thereby spreading the risk, the cost should drop even more. The Federal role would be limited to reinsuring against losses in those instances where insurance companies paid out more in benefits than they took in in premiums. As the insurance industry gained experience under the plan they would be able to sharpen their actuarial planning so that such losses should be limited, if they occur at all.

We have taken careful steps to preserve the State role in insurance administration and to allow the Secretary of Health, Education, and Welfare to participate in the actuarial review of the policy rate structure in order to assure that the rates charged for those new policies are fair to all parties concerned.

Perhaps the most attractive feature of this legislation is that it would be free of all of the constraints that are plaguing existing federally funded health care programs. We would not be overburdening an already overburdened social security system in order to finance the plan. Families who choose not to participate in the program would not be required to do so. However, on the other hand, families desiring to secure this protection would be assured of an opportunity to do so.

Under my program a deductible formula would be used to stimulate each family to provide basic health care protection. It would only be when this deductible level had been exceeded that the catastrophic insurance protection plan would be utilized. Under our formula, a family with an adjusted gross income of $10,000 would have to either pay the first $8,500 of medical expense or have provided themselves with $8,500 worth of basic insurance protection to offset the deductible requirement. Coverage from existing basic health and major medical plans would generally be sufficient to satisfy this deductible amount. However, if a family with an adjusted gross income of $10,000 incurred expenses during the period of a year that exceeded $8,500, our catastrophic or extended care program would be available to see the family through the period of financial burden when they would ordinarily be left on their own without help.

Again, because relatively few families would experience medical costs of this magnitude in a single year, the costs for this insurance should be quite reasonable—especially as more and more of our citizens availed themselves of its protection.

In developing this legislation I have met with many individuals uniquely experienced in the problems of catastrophic illness. I have discussed this proposal at great length with members of the medical community and have consulted leading members of the insurance community. More important, I have met with families that have been victimized by catastrophic illness. I have studied their plight in great detail. I know that it is wrong that these families are, in effect, abandoned—almost as a small boat adrift in stormy water.

I know that we can do something to help them and we do not have to spend ourselves into Federal bankruptcy to do it. All we need to do is utilize a concept that has been tested successfully in other analogous areas.

A description and section-by-section analysis of the National Catastrophic Illness Protection Act of 1971 follows:

NATIONAL CATASTROPHIC ILLNESS PROTECTION ACT OF 1970

(Introduced by Representative LAWRENCE J. HOGAN (Republican of Maryland) June 10, 1970)

PURPOSE AND ORGANIZATION OF LEGISLATION

The proposed National Catastrophic Illness Protection Act of 1970 is designed to encourage private health insurers, with the assistance of the Federal Government, to

provide adequate health insurance protection for persons who cannot otherwise afford such protection, or whose medical and health expenses are such that extended health insurance protection is not available. According to the findings outlined by Congress in the proposal, "many individuals are still unable to secure adequate health insurance protection or to secure such protection at rates which they can afford" and "few of our citizens are protected" from the costs of "catastrophic illness."

To deal with these problems, the bill would create a Federal health reinsurance program designed to encourage the development by the private insurance industry of policies which would afford individuals extended protection. Working with the industry, the Government would reinsure policies on terms and conditions calculated to provide maximum encouragement to insurance companies to participate in the program, either individually or through pools established for the purpose.

The legislation contains five titles designed to meet the program's objectives. Title I contains general provisions relating to the program, including the statement of Congressional findings and a section setting forth the definitions used in the proposal. Title II establishes the National Catastrophic Insurance Program by means of State-wide plans providing extended health insurance coverage through a program by which the Federal Government reinsures losses of insurers or pools of insurers offering extended health insurance policies. Title III contains the Federal reinsurance mechanism for protecting insurers against losses incurred by plans provided under title II of the bill. Title IV of the legislation establishes a separate reinsurance program to operate in those States where a State-wide plan is not developed in accordance with title II of the bill. Title V of the proposal contains general provisions relating to claims and judicial review procedures and Federal financial obligations in connection with the reinsurance programs established under titles II and IV of the bill.

SECTION-BY-SECTION ANALYSIS

Title I—General Provisions

Section 101—*Short Title.* Provides that the legislation may be known as the "National Catastrophic Illness Protection Act of 1970."

Section 102—*Findings and Purpose.* Sets forth the findings of the Congress that there are still many individuals who cannot secure or cannot afford adequate health insurance protection and that very little insurance protection is available to help meet the costs of catastrophic illness or disease. Establishes as the policy of Congress the need for a National Catastrophic Illness Insurance program to encourage States and private insurers in the development of policies which will meet the problems set forth in the statement of findings.

Section 103—*Definitions.* Defines certain terms used in the Act, such as "extended health insurance," "costs of medical care," "insurer," "pool" and "reinsured losses." Among the definitions are:

(1) *extended health insurance,* meaning insurance against all costs paid or incurred for medical care as defined in the Internal Revenue Act.

(2) *costs of medical care,* include expenses of medical care incurred by or on behalf of persons covered by an extended health insurance policy which are deductible in accordance with provisions in the IRS Code.

(3) *Insurers,* include any insurance company or group of companies under common ownership authorized to engage in the insurance business under laws of a State.

(4) *pool,* meaning association of insurance companies in a State formed or organized for the purpose of making extended health insurance more readily available.

(5) *reinsured losses,* meaning losses on reinsurance claims under this Act and all direct expenses incurred in connection with such claims, including processing, verifying, and paying such losses.

Title II—Establishment of program; State plans

Section 201—*Authority.* Authorizes the Secretary of Health, Education and Welfare to establish and carry out a National Catastrophic Illness Insurance Program.

Section 202—*State Plans.* Provides that the program shall involve the creation of State-wide plans providing extended health insurance, and that the Federal Government will reinsure insurers and pools of insurers who offer such insurance. Each insurer (or pool of insurers) will work with the State insurance authority in carrying out the State-wide plan. All plans would have to include:

(1) that extended health insurance be available to all eligible individuals, as defined in Sec. 203, and at a cost which is reasonable, as defined in Sec. 204, subject only to deductibles authorized in Sec. 205.

(2) that where an insurer does not agree to write a policy of extended insurance, or does so under various limiting conditions, the State authority is notified. The policy would then be placed with a pool or otherwise assigned to insurers by the "all-industry placement facility," provided for in Sec. 206.

(3) that data be compiled and studied in connection with the operation of the State-wide plan.

(4) that certain reports be submitted to the State insurance authority by individual insurers.

(5) that any cancellation of a policy provide for reasonable notice to permit coverage under a new policy to be written under the plan.

(6) that public information about the plan be readily distributed.

Further, each plan would have to contain such terms, conditions, requirements and other provisions determined to be necessary to carry out the purpose of the program.

Section 203—*Eligible Individuals.* In order to be eligible for policies issued under a State-wide plan, an individual would have to be a resident of the State and make appropriate application, or be a member of the household of such a person and his spouse, child, grandchild, parent or grandparent.

Section 204—*Premium Setting.* Premium rates would be set on the basis of a study of the risks in question and accepted actuarial principles. These rates would be promulgated by the Secretary for use by States and insurers in charging for extended health insurance issued under plans approved under Sec. 202 above. Rate differentials would be authorized on the basis of the number of persons covered in a family, or by other factors approved by the Secretary, including the different risks involved in various coverage arrangements. Where insurers established rates lower than those promulgated by the Secretary, any losses sustained by these insurers or pools of insurers would be compensated by "premium equalizers" provided for in Sec. 504 of the bill.

Section 205—*Deductibles.* Provides that, before payments are made under an extended insurance policy, a deductible must be satisfied through an equal amount of medical expenses paid or incurred by such individual. The amount of such deductible is determined by relating the extent of medical expenses to adjusted income and is equal to one-half of the amount by which a person's or family's adjusted income exceeds $1,000 but does not exceed $2,000; *plus* all of the amount by which such adjusted income exceeds $2,000. (A person with an adjusted income of $10,000 would have a deductible of $8,500.)

For the purposes of this section, the term "adjusted income" means the gross income of an individual or family for tax purposes less the aggregate amount of personal tax exemptions allowed the individual or family.

For satisfying the deductible, costs paid and incurred with respect to an illness which began in the previous year and continued uninterrupted until such costs were paid or incurred, shall be considered to have been paid or incurred in such previous year.

The deductible would be reduced by the amount of any payments, for the costs of care covered by the Medicare and Medicaid programs, or by any other public or private health insurance policy covering such care.

Section 206—*All Industry Placement Facility.* A State-wide plan must provide for an all-industry placement facility which would have the responsibility of distributing equitably the risks involved in the issuance of extended health insurance and which would seek to place insurance up to the full insurable value of the risk to be insured.

Section 207—*Industry Cooperation.* Provides that certain statements pledging participation and cooperation with the State insurance authority would be required of insurers seeking reinsurance under the program. In addition, no insurer shall direct any agent or broker not to solicit business through such a plan, nor penalize agents or brokers in any manner for submitting applications under the plan.

Section 208—*Plan Evaluation.* Provides that the State plan shall be evaluated from time to time in accordance with criteria established by the Secretary.

Title III—Reinsurance coverage

Section 301—*Reinsurance of Losses under Extended Health Insurance Policies.* Provides that the Secretary is authorized to reinsure against the losses which might be incurred under extended health insurance policies. Temporary reinsurance would be authorized immediately after enactment, but at the expiration of such temporary period, only permanent reinsurance is available to insurers participating in a State-wide plan as provided for in title II.

Section 302—*Reinsurance Agreements and Premiums.* Authorizes the Secretary to make agreements with insurers and pools for reinsurance in consideration of payments of reinsurance premiums deposited in the National Catastrophic Illness Insurance Fund provided for in Sec. 503 of the bill. Reinsurance offered would pay an insurer or pool for total proved and approved claims for losses in connection with the provision of extended health insurance over and above the retention of such losses by insurers which were required in accordance with the reinsurance contract. Terms would be made annually in connection with any reinsurance contract.

Section 303—*Conditions of Reinsurance.* Provides a detailed procedure for implementation of the reinsurance program in a State within specified time requirements, taking into account certain State and local factors which might affect such implementation.

Section 304—*Recovery of Premiums; Statute of Limitations.* Provides that the Government may recover in the courts any unpaid premiums lawfully payable to the Government by an insurer under provisions of a 5-year statute of limitations.

Title IV—Government program with industry assistance

Section 401—*Federal Operation of Program in Noncooperating States.* Authorizes after certain determinations that, where a State-wide program cannot be carried out, or that the objective of the program would be materially assisted by the Federal Government's assumption of the plan, arrangements for operation by the Government may be carried out. Insurers would deal directly with the Federal Government as fiscal agents of the United States.

Section 402—*Adjustment and Payment of*

Claims. If a Federally-operated program is provided for, the Secretary is authorized to adjust and pay claims for proved and approved losses covered by extended health insurance.

Title V—Provisions of general applicability

Section 501—*Claims and Judicial Review.* Provides procedures for judicial review of disallowances for claims for losses under the reinsurance program, whether State-wide or operating by the Federal Government.

Section 502—*Fiscal Intermediaries and Servicing Agents.* Authorizes the Government to enter into contracts and other arrangements for claims review, receiving and disbursing funds for making payments, etc.

Section 503—*National Catastrophic Illness Insurance Fund.* Provides for the creation of a fund for purposes of receiving premiums for reinsurance, paying claims, and so on.

Section 504—*Premium Equalization Payments.* Provides that the Secretary may make periodic payments to insurers and pools in recognition of reductions in premium rates below estimated risks as provided for in Sec. 204.

Section 505—*Records, Annual Statement, and Audits.* Self-explanatory.

Section 506—*General Powers.* Authorizes the Secretary of HEW to exercise certain powers vested in the Secretary of HUD under the Housing Act of 1950, in addition to powers provided in this proposal.

Section 507—*Services and Facilities of Other Agencies.* Provides that the Secretary may, on a reimbursable basis, utilize the services of other Government agencies.

Section 508—*Advance Payments.* Authorizes necessary payment adjustments in connection with the program.

Section 509—*Taxation.* Exempts the National Catastrophic Illness Insurance Fund from Federal taxation, except that any real property acquired by the Secretary as the result of reinsurance would be taxable by States or political subdivisions.

Section 510—*Appropriations.* Authorizes such appropriations as are necessary to carry out the provisions of the bill.

APPLICATION OF THE DEDUCTIBLE UNDER THE NATIONAL CATASTROPHIC ILLNESS PROTECTION ACT OF 1970

The deductible, or the amount of medical costs which must be incurred or paid in one year before benefits begin under this insurance, is based on individual or family income and would be as follows:

Adjusted income:

	Deductible
$1,500	$0
$2,000	500
$2,500	1,000
$3,000	1,500
$3,500	2,000
$4,000	2,500
$4,500	3,000
$5,000	3,500

And so on up the scale.

"Adjusted income" means the gross income of an individual or family for tax purposes less the aggregate amount of personal tax exemptions allowed.

The deductible would be reduced by the amount of any payments, for the costs of care covered by the Medicare and Medicaid programs, or by any other public or private health insurance policy covering such care.

Example: A family with an adjusted income of $10,000 would during a year be required to pay or incur medical expenses to the extent of $8,500 (or to have insurance coverage to meet those expenses in whole or in part; Medicare or Medicaid payments would reduce the deductible similarly). At that point all medical expenses regardless of the extent, during that year, or for any lengthy illness or injury the treatment of which extends into another year, would be covered under such a policy.

TAKE PRIDE IN AMERICA

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Ohio (Mr. MILLER) is recognized for 5 minutes.

Mr. MILLER of Ohio. Mr. Speaker, today we should take note of America's great accomplishments and in so doing renew our faith and confidence in ourselves as individuals and as a nation.

In 1903 two Dayton, Ohio, dreamers despite public skepticism and lack of financial assistance, made man's conquest of the air come true. The determination and ingenuity of Orville and Wilbur Wright made aviation history and the world began to draw a little closer together.

SUGAR ACT REFORMS

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. FINDLEY) is recognized for 10 minutes.

Mr. FINDLEY. Mr. Speaker, the complaints I have today about some aspects of USDA personnel have nothing to do with personal integrity. They have, instead, to do with philosophy and direction. And they are confined to the highest reaches of the administrative pyramid, specifically, the 53 highest executive positions.

Note one very critical position, the office of general counsel. USDA is the only department in the entire executive branch where the same person serves as general counsel who served in that capacity in the Johnson administration.

To name another, USDA is one of only two departments where the assistant secretary for administration is a holdover from Johnson years. What makes this holdover particularly remarkable is the fact that the person involved, Joseph Robertson, was brought to this position from Orville Freedman's days as Minnesota Governor and had a major role in the prompt housecleaning of top executives effected by Mr. Freeman in 1961.

It would be strange indeed if Mr. Robertson worked hard for Mr. Hardin in cleaning out the key personnel he had worked so hard to install under Secretary Freeman. And he has not. Of the seven principal executives under Mr. Robertson, only one is a Republican.

Two years after the new administration took office with a mandate for change, only 26 of the top 53 executive positions in USDA are occupied by people with Republican credentials, and two of these were Democrats until 1968.

Seventeen of the 53—one-third of the total—are Democrats.

These 53 are the top policymakers. They stand between the cabinet officer and the lower-level professional personnel. They set the tone, direct the preparation of guidelines and regulations. They must be closely tuned to the spirit and philosophy of the administration if a change in direction is to be effected. And no one can doubt that the new administration came to office with a mandate for change.

To the extent that Secretary Hardin keeps the old team at the top he complicates the difficult task of effecting change. The old team helped to construct the old policies, and can hardly be enthusiastic about extensive remodeling of its own handiwork.

This is no reflection on the competence, skills, expertise, or integrity of these men. They have a built-in division of loyalty that no human being can be expected to shed. They naturally tend to justify and defend their record of yesterday, try as they may to adjust themselves to the new order.

Secretary Hardin's path would be easier if he would complete the long overdue housecleaning of his top command. This would help among other things to effect long-needed reform of the Sugar Act, the principal legislative item on the agenda of the 92d Congress in the agricultural field.

The Sugar Act is the worst outrage on the American taxpayers and consumers being perpetrated by the Federal Government, and that covers a lot of ground.

The Sugar Act hands undeserved bonanzas worth millions of dollars to certain foreign producers, and shuts out all other foreign producers. The Sugar Act keeps at an excessive level market prices paid to U.S. producers, and yet hands these same producers direct payments which last year added up to $90 million. All they must do to get the payments is produce sugar. Land diversion is not required. Overseas refiners are effectively barred from the U.S. market. With a couple of tiny exceptions, sugar can enter this country only in unrefined form.

Sugar is the commodity most tightly regulated by the Federal Government. So skillful is Government control of the production, import, and marketing of sugar that the price is kept almost constant from year to year. Consumers do not complain much because the price is constant—constantly high.

To be specific, Monday of this week the American homemaker in Washington, D.C., supermarkets paid $1.29 for a 10-pound bag of sugar that was selling the same day in Toronto, Canada, supermarkets for $1.09. That is a 20-percent premium. Sugar sells for still less in other countries. The premium we pay over Canadian prices alone adds up to a $52 million unjustified burden for U.S. users.

Sugar is the only commodity which is today supported by Government policy at 100 percent of parity. It is badly out of line with other commodity prices, and as all of you know, the parity index itself is an outdated and unreliable yardstick of farm prosperity.

A tariff of 0.625 cent per pound is charged all foreign sugar arriving in the United States in addition to the half-cent a pound excise tax we all pay at the store when we buy sugar. These revenues go to the Federal Treasury.

Because payments to domestic growers are lower than tax and tariff receipts from sugar, the sugar program is often

said to be "self-financing." In a 1964 book, Don Paarlberg devastates that argument.

It is not clear by what reasoning sugar producers feel entitled to federal revenues raised by taxes levied on their product. The automobile industry does not so reason, nor do the petroleum industry, the tobacco industry, or the liquor industry.

I agree with Mr. Paarlberg.

There are many places in the United States where the $90 million now spent annually for payments could be put to good use—places like improved water and sewer works for small cities and towns to help attract and keep people and job-producing industry.

These payments are equivalent to the funding of the Peace Corps, twice as much as we spend on environmental control, four times what we spend on the Foreign Agricultural Service, and eight times what the Federal Government has budgeted for juvenile delinquency control.

The act expires this year, and when successor legislation is considered, I will recommend these specific reforms:

First. A reduction to 6 cents a pound of the target price of raw sugar, New York, from its present level of 7 cents. This 1-cent per pound reduction would be welcome relief to U.S. consumers amounting to over $200 million annually.

Second. Elimination of the direct payment to domestic producers. The payment varies with the size of the farm, and averages about a half-cent a pound. Producers do nothing to justify the payments. They have no set-aside requirement. Among direct-payment recipients under various USDA programs they are unique in this respect. This change in the law would reduce program costs about $90 million a year.

Third. Recapture from foreign suppliers half of the difference between the world price and the U.S. price. This would take part of the bonanza from the program, without making the U.S. market unattractive. A precise estimate of the yield from this recapture feature is hard to fix. Even using the relatively high world price presently established and assuming the lower U.S. price I recommend, the differential would at least amount to over 2 cents a pound. Half of that would come to $96 million a year, a tidy sum for the U.S. Treasury.

These reforms would save the American people over $200 million as consumers, and an additional $196 million as taxpayers.

Even in this trillion-dollar era, the net gain of $396 million annually would be worth reaching for.

I do not suggest these reforms as the ideal. I would much prefer to see the entire program die, with a tariff used as the only device to provide a desired level of U.S. production. But I have had enough experience with the sugar lobby, and enough respect for its skill in influencing votes quickly on the House floor that I do not expect such far-reaching reform this year.

The reforms I have suggested, however, I believe are reachable as well as reasonable.

An alternative to my recapture proposal would be to dispense with foreign quotas entirely, and fill overseas requirements through competitive bidding.

The advantages to this latter proposal, as I see them:

First. It would end all discrimination among foreign sugar producers. Each nation would be given an equal fair chance at the U.S. sugar market.

Second. It would take Congress out of the business of allocating high-profit business among certain favored sugar-producing nations.

Third. It would put the foreign sugar lobby out of business. High-paid lobbyists would no longer be involved in backroom dealing which a high official of the USDA told me recently "is enough to make you sick." Neither the executive branch nor Congress would have favors to distribute.

Fourth. It would establish for the first time in years a meaningful world price for sugar. This would be useful to the Congress in considering the maximum prices U.S. consumers should be required to pay and the extent to which U.S. production of sugar can be justified.

It is high time we lay to rest the false notion so conveniently used by lobbyists that the sugar program is a delicately balanced mechanism much too complicated for ordinary people to understand and much too fragile to stand any kind of reform. They have been peddling this fiction to the Congress far too long.

Stripped to its bare essentials, the sugar program is nothing but Government control in all its dimensions. In fact, the Soviets, who have a longstanding reputation for the intensity with which they manage farm and consumer items, could learn a thing or two from our Sugar Act. I question whether the Communists have ever succeeded in bringing a consumer item under greater government control than our Federal Government has achieved in the Sugar Act.

It is high time for Congress to raise Cain about the price of cane—sugar, that is.

NATIONAL WEEK OF CONCERN FOR PRISONERS OF WAR MISSING IN ACTION

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Illinois (Mr. ANDERSON) is recognized for 10 minutes.

Mr. ANDERSON of Illinois. Mr. Speaker, today I am proud to join with my distinguished colleagues, the gentlemen from Indiana (Mr. MYERS and Mr. ZION) and over 150 cosponsors in introducing a resolution to designate the week of March 21 to 27 as a "National Week of Concern for Prisoners of War/Missing in Action." Several concerned national groups have called upon us to set aside such a week for the purpose of focusing American and world attention on the plight of American prisoners in Southeast Asia. We have chosen the week of March 21 to 27 for an historically significant reason—it was on March 26, 1964, that an American Army adviser, Capt. Floyd J. Thompson, was captured in South Vietnam, thus becoming the first American POW in that conflict. That was 7 years ago. Today, Captain Thompson is listed along with over 1,500 other Americans as prisoners of war/missing in action.

We are deeply saddened at the tragic loss of thousands of lives in Vietnam and our hearts go out to all those who have lost loved ones in that conflict. But perhaps just as tragic is the fact that hundreds of families do not know whether their loved ones are alive or dead; many families have lived with this anxiety for over 6 years. The North Vietnamese are guilty of inhumane treatment not only against American POW's, but against their families for refusing to release a complete list of those being held captive, and for refusing to allow a free exchange of mail between the prisoners and their families. These inhumane practices also constitute a clear breach of international law. In 1957 the North Vietnamese ratified the 1949 Geneva Convention relative to the treatment of prisoners of war. And yet, they have refused to abide by those provisions in the treatment of American POW's. In addition to the violations I have already mentioned, they have also refused to release the sick and wounded, and have refused to permit impartial inspections of POW facilities.

Mr. Speaker, it is our hope that a National Week of Concern for Prisoners of War/Missing in Action, will spotlight the plight of American POW's frontstage in the arena of world opinion. It is our hope that by focusing American and world attention on this problem, pressure will be brought to bear on the North Vietnamese to abide by the Geneva Convention and the laws of human decency, and that they will begin to negotiate in earnest the question of prisoner repatriation.

Mr. Speaker, I would hope that the Judiciary Committee will give this resolution its early consideration due to the time frame involved. The fact that over 150 Members of this body have joined as cosponsors is a clear indication of the widespread support which exists for setting aside such a National Week of Concern for Prisoners of War/Missing in Action.

At this point in the RECORD I include a complete list of the cosponsors of this resolution along with the full text of the resolution:

TEXT OF THE HOUSE JOINT RESOLUTION

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That to demonstrate our support and concern for the more than 1500 Americans listed as prisoners of war or missing in action in Southeast Asia, and to forcefully register our protest over the inhumane treatment these men are receiving at the hands of the North Vietnamese in violation of the Geneva Convention, the President is hereby authorized and requested to issue a proclamation designating the period beginning March 21, 1971, and ending March 27, 1971, as National Week of Concern for Prisoners of War/Missing in Action," and calling upon the people of the United States to observe such week with appropriate ceremonies and activities.

NATIONAL POW/MIA WEEK OF CONCERN, MARCH 21–27: LIST OF HOUSE COSPONSORS

Anderson (R—Ill.), Myers (R—Ind.), Zion (R—Ind.), Abbitt (D—Va.), Adams (D—Wash.), Addabbo (D—N.Y.), Anderson (D—Calif.), Andrews (R—N.D.), Archer (R—Tex.), Arends (R—Ill.).

Aspin (D—Wis.), Baker (R—Tenn.), Barrett (D—Pa.), Bell (R—Calif.), Bennett (D—Fla.), Biaggi (D—N.Y.), Biester (R—Pa.), Blackburn (R—Ga.), Blanton (D—Tenn.), Boland (D—Mass.).

Bolling (D—Mo.), Brasco (D—N.Y.), Bray (R—Ind.), Brinkley (D—Ga.), Broomfield (R—Mich.), Broyhill (R—N.C.), Broyhill (R—Va.), Buchanan (R—Ala.), Byrne (D—Pa.), Casey (D—Tex.).

Clausen (R—Calif.), Cleveland (R—N.H.), Collier (R—Ill.), Corbett (R—Pa.), Cordova (Puerto Rico), Cotter (D—Conn.), Coughlin (R—Pa.), Crane (R—Ill.), Daniel (D—Va.), Derwinski (R—Ill.).

Dennis (R—Ind.), Devine (R—Ohio), Dingell (D—Mich.), Donohue (D—Mass.), Downing (D—Va.), Duncan (R—Tenn.), du Pont (R—Del.), Edwards (D—La.), Edwards (R—Ala.), Eilberg (D—Pa.).

Erlenborn (R—Ill.), Esch (R—Mich.), Evins (D—Tenn.), Fascell (D—Fla.), Findley (R—Ill.), Fisher (D—Tex.), Forsythe (R—N.J.), Frenzel (R—Minn.), Frey (R—Fla.), Fulton (D—Tenn.).

Fuqua (D—Fla.), Goldwater (R—Calif.), Goodling (R—Pa.), Green (D—Pa.), Griffin (D—Miss.), Gubser (R—Calif.), Gude (R—Md.), Halpern (R—N.Y.), Hanley (R—N.Y.).

Hansen (R—Idaho), Harrington (D—Mass.), Harsha (R—Ohio), Harvey (R—Mich.), Hastings (R—N.Y.), Hathaway (D—Maine), Hicks (D—Mass.), Horton (R—N.Y.), Hungate (D—Mo.), Hunt (R—N.J.).

Hutchinson (R—Mich.), Keating (R—Ohio), Kemp (R—N.Y.), King (R—N.Y.), Leggett (D—Calif.), Lent (R—N.Y.), Lloyd (R—Utah), Lujan (R—N. Mex.), Mailliard (R—Calif.), Mathias (R—Calif.).

Mathis (D—Ga.), Mayne (R—Iowa), Mazzoli (D—Ky.), McClory (R—Ill.), McClure (R—Idaho), McCollister (R—Nebr.), McKevitt (R—Colo.), McKinney (R—Conn.), Meeds (D—Wash.), Michel (R—Ill.).

Miller (R—Ohio), Minshall (R—Ohio), Montgomery (D—Miss.), Nichols (D—Ala.), Price (R—Ill.), Price (R—Tex.), Pryor (R—N.Y.), Pirnie (R—N.Y.), Poage (R—Tex.), Poff (R—Va.).

Price (R—Ill.), Price (R—Tex.), Pryor (D—Ark.), Pucinski (D—Ill.), Reid (R—Ill.), Rhodes (R—Ariz.), Robison (R—N.Y.), Rodino (D—N.J.), Rogers (D—Fla.), Roncalio (D—Wyo.).

Sandman (R—N.J.), Satterfield (D—Va.), Schwengel (R—Iowa), Sebelius (R—Kans.), Shoup (R—Mont.), Shriver (R—Kans.), Skubitz (R—Kans.), Spence (R—S.C.).

Stanton (R—Ohio), Steele (R—Conn.), Stephens (D—Ga.), Stubblefield (D—Ky.), Teague (R—Calif.), Terry (R—N.Y.), Thompson (R—Wis.), Vander Jagt (R—Mich.).

Veysey (R—Calif.), Whalen (R—Ohio), Widnall (R—N.J.), Wilson, B. (R—Calif.), Winn (R—Kans.), Wright (D—Tex.), Wyatt (R—Oreg.), Wylie (R—Ohio).

Yatron (D—Pa.), Young (D—Fla.), Zablocki (D—Wis.), Hammerschmidt (R—Ark.), Hogan (R—Md.), Eshleman (R—Pa.), Frelinghuysen (R—N.J.), Brotzman (R—Colo.).

DEFENSE FACILITIES AND INDUSTRIAL SECURITY ACT OF 1971

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Texas (Mr. PRICE) is recognized for 15 minutes.

Mr. PRICE of Texas. Mr. Speaker, before I was chosen by the voters in the 18th Congressional District of Texas to be their elected Representative in Congress I was, as a private citizen, quite concerned about the menace international communism poses to our way of life. And when I took office in 1966 I vowed then to do whatever I could as a U.S. Congressman to help preserve and protect our great heritage.

It is in this vein that I have in previous Congresses introduced legislation prohibiting Communists and other subversives from working in defense plants and security installations. In the last Congress, the House Internal Security Committee took my basic proposition; namely, that those dedicated to the overthrow of this country should be denied employment in defense and other security oriented facilities, and expanded it into a comprehensive set of proposals entitled the Defense Facilities and Industrial Security Act of 1970. This act passed the House early in the first session, but fell into a legislative morass in the Senate and died a natural death when the 91st Congress adjourned.

In an effort to give new impetus to this vital issue, I am today introducing legislation similar to the act that passed the House last year. I urge my colleagues to expedite this proposal and transmit it to the other body. Hopefully, in the last 18 months or so the difficulties which frustrated its progress then will have been overcome, and productive action will be forthcoming.

Mr. Speaker, I believe we must act quickly on this issue. With each passing week the dangers to our defense and security installations become more acute, and in the absence of congressional action, they will continue to be attractive and accessible targets for subversives.

If those of us who are concerned about the dangers that Communists and other subversives pose to our Nation can affect passage of this legislation, I believe it will be a giant step toward thwarting the efforts of those who would hope to undermine and overthrow the Government of the United States.

REVENUE SHARING WITH A DIFFERENCE: THE STATE AND LOCAL GOVERNMENT MODERNIZATION ACT OF 1971

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Wisconsin (Mr. REUSS) is recognized for 30 minutes.

Mr. REUSS. Mr. Speaker, I am introducing today for myself and for the gentleman from New York (Mr. ADDABBO), the gentleman from Ohio (Mr. CARNEY), the gentleman from South Dakota (Mr. DENHOLM), the gentleman from New York (Mr. DULSKI), the gentleman from California (Mr. EDWARDS), the gentleman from Pennsylvania (Mr. EILBERG), the gentleman from Massachusetts (Mr. HARRINGTON), the gentleman from Indiana (Mr. HAMILTON), the gentleman from California (Mr. HAWKINS), the gentleman from Illinois (Mr. MIKVA), the gentleman from Michigan (Mr. NEDZI), the gentleman from Wisconsin (Mr. OBEY), the gentleman from New York (Mr. PODELL), the gentleman from Rhode Island (Mr. TIERNAN), and the gentleman from Pennsylvania (Mr. YATRON), H.R. ——, a bill to improve intergovernmental relationships, and the economy and efficiency of all levels of government, by providing Federal block grants for States and localities where there is a demonstration of State intention to modernize State and local government. The bill will shortly be introduced in the other body by the junior Senator from Minnesota, Mr. HUMPHREY.

Mr. Speaker, the administration approach to revenue sharing gives no incentive to State and local governments to streamline so they can function more efficiently. What we need is a revitalized federal system, not perpetuation of the status quo, H.R. —— would relieve the fiscal crisis of States and localities by sharing revenues over and above what the Federal Government at present distributes in categorical grants; it would use revenue sharing to encourage State and local governments to modernize their structures so the shared funds can be spent with greatest effect.

The bill has these principal features:

FUNDING

The bill would provide revenue sharing of $3 billion for fiscal 1972, $5 billion for fiscal 1973, $7 billion for fiscal 1974, and $9 billion for fiscal 1975.

If the administration will take steps to put our country on a full-employment-without-inflation course, and to reorder our priorities, enlarged revenues will permit the Federal Government to perform its necessay functions, balance its budget, and still have adequate revenues left over for revenue sharing. Any administration revenue-sharing proposal which is funded by cutting back present Federal grant programs and vetoing essential increases in these programs will be unacceptable to the States, the counties, and the cities, and unacceptable to this Democratic Congress.

QUALIFICATIONS

The administration approach to revenue sharing omits any incentive to States to get on with the job of updating and streamlining local government in this country. The heart of H.R. —— is a requirement that States qualify for revenue sharing, in the second and subsequent years of the program, by preparing a master plan and timetable for modernizing State-local government. What is needed is a catalyst to bring about State-local governmental reform, not a crutch to allow the States to hobble along as they have. The bill contains a "check list" of illustrative reforms. The beneficiaries of revenue sharing would not be subject to any strings on the type of plan presented, on how they spend their funds, or even on progress made in fulfilling the plans.

STATE INCOME TAX INCENTIVE

The bill gives double weighting to the income tax efforts of the States after July 1, 1974, in the formula used to apportion funds among the States. States lacking income taxes thus have an incentive to adopt them and have time to take the necessary legislative steps to enact them. At present, nine States—Connecticut, Florida, Nevada, Ohio, Pennsylvania, South Dakota, Texas, Washington, Wyoming—have no income tax at all, and compete unfairly for industry with the States which have such a tax.

Four States have narrowly based income taxes—New Hampshire, New Jersey, Rhode Island, and Tennessee—and five States—Illinois, Indiana, Massachusetts, Michigan, Mississippi—have income taxes with the same rate for both rich and poor.

The administration approach to revenue sharing omits any State income tax incentive.

ALLOCATION TO LOCALITIES

The bill incorporates allocation procedures recently worked out by the national organizations of cities, mayors, Governors, and counties.

First. A State will get a 10-percent bonus in its portion of the Federal revenue-sharing pot if it sits down and negotiates an agreement with a representative number of county and city governments determining the State-local split pass-through and the local distribution of these funds. The agreement must be enacted as State law and approved by a majority decision of all county governments, representing at least half of all counties by population; and by a majority decision of all governments of cities with 2,500 or more population, representing at least half of all such cities by population.

Second. If a State does not negotiate, it must pass through to its localities an amount that will average over 50 percent nationwide. According to the formula set out in the bill, the local share will range from about 30 to 65 percent State by State, far more than the average 30 percent provided in the 1969 administration bill. Distribution of the local share would be determined by State law.

I applaud the agreement worked out by the national State-county-city organizations, particularly the "negotiations option." I anticipate that intrastate apportionment negotiations will at the same time provide a forum for consultation and agreement on a modernization plan.

The bill further avoids a major flaw in the administration's revenue-sharing approach: Mandatory distribution to all 63,000 local governments, whether rich or poor, archaic or efficient. Instead we leave distribution among localities to State law or to intrastate negotiation, thus providing the flexibility needed to encourage consolidation of inefficient units, and to take account of relative fiscal need and other differences State by State.

If the "negotiations option" is not exercised, the "local share" State by State under H.R. —— will be approximately that set out in the following table, prepared on the basis of 1966–67 data:

[In percent]

	Local share
Alabama	39.22
Alaska	31.45
Arizona	44.58
Arkansas	35.84
California	57.94
Colorado	50.59
Connecticut	51.57
Delaware	28.20
District of Columbia	-----
Florida	53.43
Georgia	43.83
Hawaii	28.09
Idaho	42.08
Illinois	57.38
Indiana	48.07
Iowa	52.53
Kansas	52.55
Kentucky	36.95
Louisiana	30.77
Maine	44.79
Maryland	47.72
Massachusetts	53.14
Michigan	46.94
Minnesota	49.25
Mississippi	40.15
Missouri	52.52
Montana	54.48
Nebraska	65.05
Nevada	54.39
New Hampshire	58.54
New Jersey	61.65
New Mexico	27.79
New York	53.48
North Carolina	31.86
North Dakota	43.25
Ohio	58.09
Oklahoma	38.64
Oregon	49.75
Pennsylvania	48.50
Rhode Island	45.13
South Carolina	29.36
South Dakota	54.44
Tennessee	45.29
Texas	49.68
Utah	41.08
Vermont	39.14
Virginia	42.09
Washington	38.29
West Virginia	34.07
Wisconsin	41.91
Wyoming	49.10

The text of H.R. —— follows:

A bill to improve inter-governmental relationships, and the economy and efficiency of all levels of government, by providing Federal block grants for States and localities where there is a demonstration of State intention to modernize State and local government

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

SHORT TITLE

SECTION 1. This Act may be cited as the "State and Local Government Modernization Act of 1971".

FEDERAL BLOCK GRANTS

SEC. 2. (a) AUTHORIZATION OF APPROPRIATIONS.—There is herewith authorized to be appropriated for the fiscal year beginning July 1, 1971, $3 billion; for the fiscal year beginning July 1, 1972, $5 billion; for the fiscal year beginning July 1, 1973, $7 billion; for the fiscal year beginning July 1, 1974, $9 billion; to be paid by the President to all States (and location within such States) which qualify for Federal block grants.

(b) DETERMINATION OF "OVERALL STATE-LOCAL SHARE."—Subject to the provisions of subsection (d)(2) of this section, the President shall quarterly make a payment to each State (and to eligible local governments in that State pursuant to subsection (c) or (d) of this section) which is qualified under section 3 of this Act for a Federal block grant of an amount to be known as the "overall State-local share," which shall bear the same ratio to the amount appropriated for that year under subsection (a) of this section as the product of—

(1) the State's "revenue-effort ratio" (as

(2) the State's "revenue-effort ratio" (as determined below),

bears to the sum of the corresponding products for all the States which are qualified for a revenue-sharing payment in that year. The "revenue-effort ratio" for a State shall be the ratio between the sum of all revenues collected in the State by the State and its political subdivisions, and the total personal income for the State. After July 1, 1974, double weight shall be given to income tax revenue. Population, revenue, and income data shall be based on the most recent data available from the Department of Commerce. The term "State" shall include the District of Columbia.

(c) APPORTIONMENT OF "OVERALL STATE-LOCAL SHARE": GENERAL RULE.—

(1) APPORTIONMENT BETWEEN STATES AND LOCAL GOVERNMENTS.—The "overall State-local share" shall be apportioned between the State government ("State share") and all eligible general purpose local governments in that State ("local government share") in the same ratio as the revenues of the State government bear to the revenues of all units of local government in the State, including school districts and special districts.

(2) APPORTIONMENT AMONG LOCAL GOVERNMENTS.—The "local government share" shall be apportioned among such units of general purpose local government, and according to such a distribution formula, as the State shall by law provide. Such inclusion or exclusion of local governments, and such distribution formula, shall be fair and equitable departing from a per capita or a revenue basis only for the purpose of favoring localities that are relatively more populous, contain relatively more low-income families, or have high local tax burdens in relation to individual income. The chief executive of each State shall keep the President currently informed of the amounts payable to local governments under such State law.

(d) APPORTIONMENT OF "OVERALL STATE-LOCAL SHARE": BONUS FOR NEGOTIATION.—(1) Any State may obtain a 10 percent bonus in its "overall State-local share" if it enacts an apportionment between the State and its localities, and among its localities, agreed to (A) by a majority decision of all county governments, representing at least half of all counties by population; and (B) by a majority decision of all governments of municipalities with two thousand and five hundred or more population, representing at least half of all such municipalities by population.

(2) In each fiscal year for which funds for Federal block grants are appropriated pursuant to this Act, the President shall reserve for a specified period prior to the first quarterly payment to qualifying States an amount sufficient to provide a 10 percent bonus for all States. At the expiration of this period, the unclaimed portion of the amount reserved shall become available for distribution to all qualifying States pursuant to subsection (b) of this section and, either subsection (c) of this section or paragraph (1) of this subsection.

(3) The President shall issue regulations to ensure equity to States, which by reason of their local governmental structure, are not able to meet the requirements of paragraph (1) of this subsection.

SEC. 3. QUALIFICATIONS FOR BLOCK GRANTS.—In order to qualify for block grants in the first, and subsequent fiscal years, each State shall, within a specified period prior to the first quarterly payment each year, do one of the following: (a) enact and file with the President a local government distribution law (which may from time to time be amended) pursuant to section 2(c)(2) of this Act; *or* (b) enact and file with the President a state-local apportionment agreement (which may from time to time be amended) pursuant to section 2(d)(1) of this Act. In order to qualify in the second, and subsequent fiscal years, a State's chief executive officer shall prepare and file with the President (and may from time to time amend) a master plan and timetable for modernizing and revitalizing State and local governments, by methods (where appropriate) such as those on the following illustrative checklist:

(1) INTERSTATE.—Proposed arrangements, by interstate compact or otherwise, for dealing with interstate regional problems, including those of metropolitan areas which overlap State lines, and for regional cooperation in such areas as health, education, welfare, conservation, resource development, transportation, recreation, housing.

(2) STATE DIRECT ACTION.—Proposed strengthening and modernizing of State governments (by constitutional, statutory, and administrative changes), including recommendations concerning the short ballot; longer terms for constitutional officers; annual legislative sessions; adequately paid officers and legislators; modernized State borrowing powers; improved tax systems (including an income tax of at least moderate progressiveness); rationalized boards and commissions; increased assistance to local governments; revising the terms of State aids and shared taxes so as to encourage modern local governments and to compensate for differences in total local fiscal capacity; State assumption of direct fiscal responsibility for basic functions; and modern personnel systems.

(3) STATE ACTION AFFECTING LOCALITIES.—Proposed strengthening and modernizing by the State of local, rural, urban, and metropolitan governments (by constitutional, statutory, and administrative changes), including

(A) Changes designed to make local government more efficient and economical, as by—

(i) reducing the number of, or eliminating local governments too small to provide efficient administration, and special districts not subject to democratic controls;

(ii) restricting local popular elections to policy-makers (the short ballot);

(iii) concentrating on a single responsible executive for each local unit;

(iv) reform of personnel practices;

(v) granting adequate home rule powers to local governments of sufficient size and scope;

(vi) improving local property tax administration;

(vii) authorizing local governments to utilize nonproperty taxes, coordinate at the State or regional level;

(viii) easing restrictions on the borrowing and taxing powers of local governments;

(ix) encouraging the formation of multicounty and regional bodies.

(B) Changes designed to strengthen local government in metropolitan areas, as by—

(i) liberalizing municipal annexation of unincorporated areas;

(ii) discouraging new incorporations not meeting minimum standards of total population and population density;

(iii) authorizing city-county consolidation, or transfers of specified functions between municipalities and counties;

(iv) authorizing intergovernmental contracts for the provision of services;

(v) authorizing the municipalities to exercise extraterritorial planning, zoning, and subdivision control over unincorporated areas not subject to effective county regulation;

(vi) restricting zoning authority in metropolitan areas, to metropolitan units, to larger municipalities, to counties, or to the State, in order to prevent zoning by smaller municipalities which excludes housing for lower income families;

(vii) authorizing the formation of metropolitan councils of government and other regional governing bodies;

(viii) authorizing the establishment by the State, by local governmental bodies, or by the voters of the area directly, of metropolitan area study commissions to develop proposals to improve and coordinate local governmental structure and services, to permit side-by-side area-wide and local governments, or to permit consolidation of municipalities; and to present to the voters of the area such proposals;

(ix) authorizing the formation of metropolitan planning agencies to make recommendations to local governments concerning such matters as land use, zoning, building regulations, and capital improvements; and

(x) furnishing State financial and technical assistance to metropolitan areas for such matters as planning, building codes, urban renewal, consolidation, and local government and finance.

(C) Changes designed to make local government more responsive and democratic by decentralizing power and functions back to the neighborhood wherever possible.

SEC. 4. REPORTS AND RECOMMENDATIONS.—The President shall report to the Congress at the end of each fiscal year in which Federal block grants are paid on the progress made by each participating State in carrying out its modern governments program, and, prior to the end of the fourth fiscal year, shall make recommendations to the Congress concerning the future of the Federal block grant program.

PANAMA SEA-LEVEL PROJECT: DANGER OF POISONOUS PACIFIC SEA SNAKES INFESTING THE ATLANTIC

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Pennsylvania (Mr. FLOOD) is recognized for 20 minutes.

Mr. FLOOD. Mr. Speaker, as all who have seriously studied the interoceanic canal problem know, this subject is a highly complicated one involving economics, engineering, diplomatic relationships, defense, and a host of other questions. The most recent development in these connections is that of the Pacific sea snakes and the danger of their infesting the Atlantic.

In an illuminating address on December 21, 1970, on sea snakes and their venoms at the National Science Foundation in Washington, Dr. Anthony T. Tu, professor of biochemistry at Colorado State University, Fort Collins, Colo., summarized the highlights of his investigations and studies. One of the interesting features of his presentation was the exhibit of three specimens from his collection of more than 9,000 sea snakes of different species that he had caught in the Philippines and in Indochina.

The following are the principal nontechnical highlights of Dr. Tu's address:

First. That sea snakes abound in the Indian and Pacific Oceans, including the east coast of Africa and the coastal waters of Baja California, and the west coasts of Mexico, Central America, Panama, and South America.

Second. That about 60 species are found in the Far East and Southwest Pacific but only one in the Eastern Pacific.

Third. That sea snakes, which are related to the cobra and far more numerous than land snakes, are more deadly than rattlesnakes and that a bite can cause death within hours.

Fourth. That sea snakes cannot survive cold water and probably choose to avoid low-salinity estuarine waters.

Fifth. That the Atlantic Ocean is protected against the sea snake infestation by low temperature barriers in the vicinity of Cape Horn and the Cape of Good Hope and the fresh-water barrier of Gatun Lake in the Panama Canal.

Sixth. That in addition to the hazards to human swimming at our beaches, a sea snake invasion of the Atlantic might upset the ecological balance with unknown consequences.

The final report of the Atlantic-Pacific Interoceanic Canal Study Commission under Public Law 88-609 was filed with the President on December 1, 1970. The recommendation of this report is for the construction of a second canal of so-called sea level design about 10 miles west of the existing canal. Such canal, Dr. Tu warns, would open the way for poisonous sea snakes to infest the Caribbean and from there the Atlantic.

While it is true that the previously indicated canal study panel, which was not an independent commission as its name implies but merely a Presidential consulting board, did include consideration of sea snakes and other biotic hazards in its final report, it dismisses them as acceptable risks. This action, Mr. Speaker, is in direct conflict with much independent expert opinion illustrated by the findings of Dr. Tu and others of equal eminence. Moreover, it is pertinent to comment that the indicated commission, in the preparation of its findings and conclusions, was obviously more concerned with the justification of its predetermined sea level objective as provided by the authorizing statute, which I strongly opposed, than in developing a valid solution of the problems of interoceanic transit.

In contrast, Dr. Tu and other marine biological authorities whom I have consulted, have been independent investigators not bound by endeavors to support preconceived conclusions.

At this point, Mr. Speaker, I would stress that pending legislation in both the House and Senate provides for the major modernization of the existing Panama Canal through the adaptation of the authorized Third Locks project to include the principles of the Terminal Lake plan. This project on which more than $171,000,000 has been expended, in addition to its economic, engineering, operational, and judicial superiority to the sea level proposal, would retain the fresh water barrier provided by Gatun Lake and continue to protect the Caribbean Sea and Atlantic from poisonous sea snake infestation.

Dr. Tu's studies of sea snakes, it should be noted, have been supported by the Office of Naval Research of the Navy Department and that the subject is far from exhausted.

In volume 3 of the book, "Poisonous and Venomous Marine Animals of the World—Vertebrates," edited by Dr. Bruce W. Halstead and published in 1970 by the U.S. Government Printing Office, pages 885–903, there is a section on "Sea Snakes From Southeast Asia and Far East and Their Venoms" by Anthony T. Tu and Tsuchih Tu, the latter of the Department of Pharmacology, University of Alberta, Edmonton, Canada.

To make the information presented in the December 21 seminar at the National Science Foundation and that in the previously mentioned article available to the Congress, cognizant officials of the executive branch of our Government and the Nation at large, I quote an

abstract of Dr. Tu's December 21 address and the indicated article, preceded by a biographical sketch of Dr. Anthony T. Tu, as part of my remarks, as follows:

[Tu, Dr. Anthony T, b. Taipei, Formosa, Aug. 12, 30; U.S. citizen; m. 57; c. 5. Biochemistry. B.S., National Taiwan Univ., Taiwan, 53 M.S, Notre Dame, 56 Ph. D. (biochem), Stanford, 60. Res. asst. Biochem, Yale, 61–62 asst. prof. Utah State, 62–67 Assoc. Prof, Colorado State, 67–70; Prof, Colorado State, 70– SEATO summer res. fel, 66. Am. Chem. Soc; Int. Soc. Toxinology; Am. Soc. Biol. Chem; Soc. for Exptl. & Med. Snake venom toxine and enzymes; hemepeptides; netal-nucleotide interaction. NIH Career Development Award 1969–73. Sea Snake Collection in Southeast Asia and Far East in 1967 and 1969. Address: Dept. of Biochemistry, Colorado State University, Ft. Collins, Colo. 80521.

SEA SNAKES AND THEIR VENOMS, ADDRESS AT THE NATIONAL SCIENCE FOUNDATION, WASHINGTON, D.C., DECEMBER 21, 1970

(By Dr. Anthony T. Tu)

Sea snakes are among the most feared creatures that fishermen in many parts of the world frequently encounter. More deadly than the rattler, and more numerous, it's not uncommon in tropical and subtropical regions bordering the Indian and Pacific Oceans for several hundreds of the reptiles to spill on deck with a fish catch each time a net is hauled on board. Yet a single bite of their fangs can bring death within hours by the action of their toxin on the neuromuscular junction of the victim.

Recent analyses of sea snake venom toxins reveal that they are proteins that bear a remarkably close resemblance in their chemical makeup among different species of the snake from different areas. Significant, too, finds Dr. Anthony T. Tu, biochemistry professor at Colorado State University in Fort Collins, is that a simple chemical modification of the single tryptophan residue in the purified toxin detoxifies it without affecting its antigenicity. An important practical outcome of the work which, to date, has been carried out under contract for the Office of Naval Research is that modified toxin should make possible more rapid production of antivenom serum of high potency, he told the annual meeting of the American Association for the Advancement of Science in Chicago, last week.

All told, Dr. Tu has collected some more than 9000 sea snakes of different species that he caught in the Philippines and in Indochina. "I have sufficient quantity of venom on hand to provide work for several Ph.D.'s in the years ahead," he remarked recently to a visitor to his office which is dominated by a fearsome-looking (stuffed) King Cobra. "What I lack now is funding for the research."

For his study of the lethal toxin of *Laticauda semifasciata*, he extracted venom from the glands of some 600 of the snakes.

Using water to dissolve the venom from the pulverized venom glands, he and coworkers, Dr. Bor-shyue Hong and Paul M. Toom, removed the insoluble tissue debris and lyophilized the crude venom extract.

Column chromatography of the sample dissolved in buffer solution yields five fractions, only one of which is toxic when injected intravenously into mice. Twice as lethal as the impure material, a mere microgram of it kills a 20-gram animal. This fraction comprises two active molecules which he refers to as toxin a and toxin b. They differ only slightly from each other in the relative abundance of their amino acid content. Both have a molecular weight of about 6,800. Electrophoresis, isoelectric focusing, and crystallization of the two toxin functions, as well as evidence from sedimentation velocity and equilibrium rates, point to the individual purity of toxin a and b, notes Dr. Tu, who directs an active program of snake venom studies on the CSU campus.

Amino acid analyses show the two toxins to be almost identical. Toxin a consists of 62 amino acid residues, toxin b, 61. In both, arginine is the N-terminal amino acid, either aspartic acid or asparagine to the C-terminal one. Both have internal disulfide bridges at four locations along the chain.

Presence of the four S–S bonds points to the molecular configuration being tightly held in place, Dr. Tu surmises. Bolstering this contention is the unusually high degree of physical stability of the toxin molecule. Solutions of the toxins, for example, can withstand heating at 100°C for 30 minutes and exposure to pH extremes of 1 to 11 without undergoing any loss of toxicity.

The single tryptophan residue in toxins a and b—which seemingly is a common feature of sea snake toxins—is vital for the physiological activity of the molecules.

Interaction with N-bromosuccinimide, for instance, completely detoxifies the protein. This is further borne out by the fact that Dr. Tu and his coworkers note a progressive decrease in toxicity level accompanies addition of NBS to solutions of the toxins until all of the available tryptophan residues are modified. At that point, the solution is nonlethal.

A similar detoxifying effect accompanies treatment with 2-nitrophenylsulfenyl chloride and 2-hydroxy-5-nitrobenzl bromide, both of which, like NBS, interact with tryptophan's indole group. On the other hand, modification of the argenine residues with 1,2-cyclohexanedione, or of lysine residues with O-methylisourea, brings about no change in toxicity level. Dr. Tu plans to study the effect, if any, of modifying some of the other amino acid residues. He also is working on the amino acid sequencing of the protein.

While the tryptophan residue is essential for toxicity, it isn't essential for antigenicity of the molecule, Dr. Tu finds. For example, immunodiffusion of the tryptophan-modified and -unmodified toxins yields a single fused precipitin band, strong evidence that no change in antigenicity accompanies the chemical modification, he says.

This fact suggests to Dr. Tu that tryptophan-modified toxin should prove superior to untreated venom for inducing the production of antivenom in horses, the usual commercial method of making serum used in counteracting snakebites. Because of the sea snake venom's extreme degree of toxicity, antivenom production now is a slow process. Small quantities of the venom are injected into the horses over a period of about a year to avoid risk of killing the horses. The process could be speeded up, he suggests, by using nontoxic tryptophan-modified venom.

Dr. Tu and his associates already have examined the toxins of two other sea snakes, *Enhydrina schistosa* collected in the Straits of Malacca off the Malayan coast, and *Lapemis hardwickii* from the Gulf of Thailand. Amino acid profiles of toxin from these reptiles closely resemble those of toxins a and b of *L. semifasciate*. Too, NBC-modification of the single tryptophan residues completely neutralizes toxicity of the venom proteins.

Sea snakes abound in the coastal waters of Baja California, Mexico, Central and South America, Southeast Asian countries and along the east coast of Africa. In fact, coldness of the waters at the southern tip of Africa and South America has prevented the reptiles from migrating into the Atlantic Ocean, Dr. Tu explains. But he foresees a grave danger ahead should a sea level canal in Panama, a project now being seriously considered, is built. Such a canal, he warns, would open the way for poisonous sea snakes to infest the Carribean and from there move into the Atlantic Ocean.

SEA SNAKES FROM SOUTHEAST ASIA AND FAR EAST[1] AND THEIR VENOMS

(By Anthony T. Tu[2] and Tsuchih Tu[3])

(From *Poisonous and Venomous Marine Animals of the World*, vol. III. Ed. by B. W. Halstead, U.S. Government Printing Office, Washington, D.C. (1970))

INTRODUCTION

Sea snakes (Hydrophiidae), characterized by their oarlike flattened tail, are quite common in Southeast Asia and the Far East. Their venoms contain potent neurotoxins and are extremely poisonous. The members of this family prefer the relatively shallow waters along the coast and often infest the vicinity of river mouths. *Pelamis platurus*, however, is considered a pelagic sea snake.

In Southeast Asia, snakebite due to sea snakes is common among fishermen who are in daily contact with the sea. Sea snakes are often caught in the nets along with the fish. Fishermen fear sea snakes and remove them from the fish net with long bamboo sticks.

Unlike fish, sea snakes do not have gills; therefore, they must come to the surface of the water for air. When sea snakes are caught with the fish in trawling nets, they frequently die before the net is brought up because they cannot breathe while being trawled.

The feeding habits of sea snakes have not been investigated to any great extent. In captivity some sea snakes refuse to take fish. However, in the sea it is believed that they feed on small fish. During the 1967 sea snake collection, it was observed that many sea snakes had small fish or squid in their mouths half-swallowed. On some occasions the snake's abdominal cavity was swollen due to swallowed fish.

DISTRIBUTION

A remarkably large concentration of sea snakes has been reported in various Pacific areas by a number of workers. Herre (1942) reported that a large group of sea snakes was present in uninhabitated coral or rocky islands in the Philippines. Hundreds of thousands of sea snakes, *Laticaudia semifasciata* and *L. coubrina*, were observed by Tu while he was collecting snake specimens at Botel Island, 49 miles east of Formosa. Parme (1963) reported that sea snakes are numerous along the coast of Vietnam.

Specifically, he observed that in Phan Thiet, South Vietnam, one haul of a fisherman's net rarely brings in more than two snakes during the dry season, but during the rainy season (July to November) several hundred are often caught in one throw of the net.

On Amami Islands, Japan, 50,000 sea snakes are sold each year for their skins. Most of the snakes are *L. semifasciata* and are captured in the vicinity of the Amami Islands and Ryukyu Islands. In northern Cebu, Philippines, every year 100,000 sea snakes are captured and the skins exported to Formosa.

The distribution of sea snakes in Southeast Asia and the Far East is briefly described.

THAILAND AND VIETNAM

The sea snakes in the Gulf of Thailand were systematically investigated by Taylor (1965) and the following snakes were found:[4] *Laticauda colubrina, L. laticaudata, Aipysurus eydouxi, Kerilia jerdoni, K. jerdoni siamensis, Astrotia stokesi, Kolpophis an-*

[1] This work was supported by Office of Naval Research, Contract No. N00014–67–A–0299–0005.

[2] Department of Biochemistry, Colorado State University, Fort Collins, Colo.

[3] Department of Pharmacology, University of Alberta, Edmonton, Canada.

[4] The sea snake names as given in this report are according to Smith's (1926) monograph.

nandalei, Thalassophina viperina, Enhydrina schistosa, Pelamis platurus, Lapemis hardwicki, Hydrophis cyanocinctus, H. ornatus, H. caerulescens, H. torquatus, H. torquatus diadema, H. klossi, H. fasciatus, H. brooki, and *H. mamillaris.*

Taylor reported that *Laticauda colubrina* is very rare in Thailand waters, and he believes that a single specimen in the Hamburg Museum from "Siam" is the only one recorded.

During the sea snake collection at the estuary in the vicinity of Bangkok, no snakes of the genus *Laticauda* were observed. *L. laticaudata* is also very rare in Thailand.

Taylor reported that intensive collection at Songkhla yielded no specimens of *Aipysurus eydouxi.* However, the author found this snake was the most common in his collection in Nakorn Srithamaraja which is not far from Songkhla. From these two observations, it seems that this snake migrates from place to place, possibly depending on the season.

Kerilia jerdoni is known only at Pattani and Songkhla, and *Astrotia stokesi* has been found near Amg Hin, Chonburi, and the Bay of Patani, the Gulf of Thailand.

Enhydrina schistosa, readily identified by the characteristic split in the lower lip, is widely distributed. The abundance of this species was reported by Taylor, the Royal Thai Navy and observed by the author. It is reported that this species is also common in Vietnam especially in the Mekong Delta area. In Thailand, the snake is most commonly found in estuaries and shallow, muddy, coastal areas. The conditions in the estuaries and the Gulf of Thailand are most suitable for this snake. In general, the ocean floor of the Gulf of Thailand is muddy and shallow (according to the Royal Thai Navy, the general depth is about 200 meters).

The presence of *Acalyptophis peroni* in Thailand waters was first reported by Taylor.

Thalassophis anomalus is found in the northern part of the Gulf of Thailand and along the coast of southeastern Thailand and Cambodia.

Microcephalophis gracilis is commonly found in the Gulf of Thailand. The snake has a characteristic morphology, different from other snakes. The neck is narrow and the size of body becomes progressively larger towards the tail.

Pelamis platurus is not very common in the Gulf of Thailand. In July 1967, of the 600 sea snakes collected, there was only one of this species. Taylor (1965) reported that he had collected only a single coastal specimen along the shore. However, this species is widely distributed elsewhere, even in Central and South American (Taylor, 1953) and in South Africa (FitzSimons, 1962).

Lapemis hardwicki is very common in the Gulf of Thailand. There were 78 of this specimen captured out of 600 snakes in Nakorn Srithameraj, the eastern part of Kula Peninsula.

Hydrophis cyanocinctus is quite common in the Gulf of Thailand but not *H. ornatus ornatus. H. caerulescens* is found in the Gulf of Thailand as well as in the Bay of Bengal (Taylor, 1965). According to Taylor, *H. klossi* is known along the eastern coast of peninsular Thailand as far south as Pattani. *H. fasciatus* is present along the coastline of Thailand. *H. brooki* is found in the Gulf of Thailand as well as in the Bay of Bengal.

The following sea snakes were reported to be found in Thailand by the Royal Thai Navy: *Lapemis hardwicki, L. curtus, Enhydrina schistosa, Thalassophina viperina, Astrotia stokesi, Microcephalophis gracilis, Kerilia jerdoni, Pelamis platurus, Laticauda laticaudata affinis, L. colubrina, L. semifasciata, Emydocephalus ijimae, Hydrophis spiralis, H. cyanocinctus, H. ornatus, H. melanocephalus* and *Lapemis hardwicki.*

The most common sea snake in the estuary in central Thailand is *Enhydrina schistosa,* which moves upstream with the tidal influx of sea water. In Thailand this snake is most abundant during the dry season (December to April), when sea water penetration is greatest due to the low-water level of the rivers. In the Bangkok area the sea water can reach to Phra Pra Dang, which is 3 miles south of Bangkok, or about 10 miles from the river mouth. Fishermen there have reported catches of about 1,000 sea snakes per night during the dry season. An attempt was made to collect sea snakes in the same spot in June but only two *E. schistosa* and three *Acrochordus granulatus* (false sea snake) were caught in one day.

The situation in the open sea is quite different from that in the estuary. The most abundant genus is *Hydrophis* which includes about 20 different species. Thus, identification of individual species becomes very difficult. In July 1967, sea snakes were collected in southern Thailand along the coast of the Gulf of Thailand. These included *Aipysurus eydouxi, Lapemis hardwicki, Enhydrina schistosa, Hydrophis spiralis, H. klossi, Kerilia jerdoni, Microcephalophis gracilis,* and *Pelamis platurus.* No snakes of the genus *Laticauda,* which are abundant in Japan, Formosa, and Philippines, were captured.

Sea snakes present in Vietnam waters were reported by Barme (1963). They are: *Lapemis hardwicki, Enhydrina schistosa, Hydrophis cyanocinctus, H. fasciatus, H. ornatus, Microcephalophis gracilis, Kolpophis annandalei, Aipysurus eydouxi, Thalassophina viperina, Pelamis platurus,* and *Kerilia jerdoni.* He reported that *L. hardwicki* was most abundant and represented 75 percent of the snakes captured in South Vietnam. In central Vietnam, *H. fasciatus* was more frequently taken by fishermen.

FORMOSA

Sea snakes present in the Formosan waters were recorded by Maki in his "Monograph of the Snakes in Japan" (1931). He indicated that *Laticauda laticaudata affinis, L. colubrina, L. semifasciata, Emydocephalus ijimae, Hydrophis spiralis, H. melanocephalus, H. ornatus, Lapemis hardwicki,* and *Pelamis platurus* were all present in Formosan waters.

Sea snakes in Botel-Tobago Island, 49 miles east of Formosa, have been investigated in considerable detail. In all, seven species have been reported on this island.

Year, investigator (reference), and species found

1895: Stejneger (1898); *Emydocephalus ijimae* (Stejneger).

1930: Kano (1932); *Laticauda semifasciata* (Reinwardt).

1934: Takahashi (1935); *Laticauda colubrina* (Schneider), *Hydrophis melanocephalus* (Gray), *H. ornatus* (Gray), *Pelamis platurus* (Linnaeus).

1956: Wang (1962); *Laticauda laticaudata* (Linnaeus).

Takahashi (1935) reported that *Laticauda semifasciata* and *L. colubrina* are the most common sea snakes in Botel-Tobago Island and *H. ornatus* and *Emydocephaus ijimae* are less common, and *H. melanocephalus* is very rare. This observation was confirmed by Tu. *L. semifasciata* and *L. colubrina* are most abundant from May to August as they lay eggs on the coral reef. The time of spawning is mainly at night and the spawning grounds are in the shallow sea. During the daytime, these snakes inhabit the sea at a depth of 7 to 8 feet. In contrast to the genus *Laticauda, Pelamis platurus* can be found in all seasons.

Maki (1931) reported that *Pelamis platurus* inhabits a sea warmer than 12° C while *Laticauda semifasciata* prefers a temperature above 16° *C. P. platurus* has a wide distribution outside of Formosa.

PHILIPPINES

According to Taylor (1922), the following sea snakes are present in the sea of Philippines: *Aipysurus eydouxi, Laticauda laticaudata, Laticauda colubrina, L. semifasciata Hydrophis fasciatus, H. ornatus, H. cynocinctus, H. inornatus, Lapemis hardwicki,* and *Pelamis platurus.*

Laticauda laticaudata does not attain as large a size as *L. colubrina* and is usually found along rocky seacoasts. They feed largely on small eels. *L. laticaudata* is present around Mindanao, Sulu, Samar, and northern Mindoro. The species is also widely distributed outside the Philippines ranging from Amami Oshima, Okinawa, Formosa, western and southern Pacific, East Indian Archipelago, to the Indian Ocean.

Laticauda colubrina is abundant along the rocky coasts of the Philippines especially on small rocky islands, in cracks on cliffs, and under rocks. The specimen is found in Samar, southern Luzon, Bantayan, Palawan, Neros, Dipolod, Tulian, Bubuan, and the Sulu Archipelago.

According to Taylor, *Hydrophis fasciatus* (*Disteira cincinnatii*) has been found in Manila Bay but is rarely taken in fishing nets due to its small size. *H. ornatus* is found in Manila Bay and Palawan and also in southeastern Asia through the Malay Archipelago, *H. cynocinctus* is also common Manila Bay. The snake has been captured in fresh water. Taylor (1922) reported that the snake enters Lake Taal, a freshwater lake connected with the sea by a river only a few kilometers long.

Lapemis hardwicki snakes are numerous in Manila Bay. Taylor had captured this species at Himigaran on Negros. It probably occurs with some frequency on the coasts of all the islands. Outside of the Philippines it occurs from the Bay of Bengal to New Guinea.

According to Taylor (1922), *Aipysurus eydouxi* is rare in the Philippines; however, the species has been captured in Luzon.

In July 1967, a large number of sea snakes were found on rocky Gato Island. The predominant species was *Laticauda semifasciata* which is very large, reaching 2 meters. Every year 100,000 sea snakes are captured around this island and the skins exported to Formosa. Sea snakes are especially abundant in the months of September and October due to breeding. *L. colubrina* was also found on this island.

Several specimens of sea snakes were observed in the marine section of the National Museum, Manila. They are: *Hydrophis fasciatus* (captured in Guimaras Strait), *H. spiralis* (captured in the sea 24 miles north of Iolo Island), *Pelamis platurus* (captured in latitude 7°42′ N., longitude 121°50′ E.), and *Lapemis hardwicki* (captured in Bagae Bay, West Batan peninsula).

Sea snakes have been collected by Alabang Serum and Vaccine Laboratories since 1963. As of 1966, 12 trips had been made for snake collections in San Miguel Bay. There were 72 snakes collected in seven trips, and on five other trips, no sea snakes were caught. Thus, it indicated that there is a seasonal migration of the sea snakes. Only three species of sea snakes were identified: *Lapemis hardwicki, Hydrophis cyanocinctus,* and *Hydrophis fasciatus atriceps.*

HONG KONG

The following sea snakes are found within or near Hong Kong territorial waters (Romer, 1961, 1965): *Hydrophis cyanocinctus, H. ornatus ornatus, Microcephalophis gracilis, Pelamis platurus,* and *Thalassophina viperina.* Among them *H. cyanocinctus* is by far the most common snake. This species accounts for 70 percent of all the sea snakes captured by fishermen in Hong Kong.

In the collection of July 1967, *Hydrophis cyanocinctus, H. ornatus, Pelamis platurus, Microcephalophis gracilis, Lapemis hard-*

wicki, and one unknown species were captured.

BORNEO (SARAWAK, BRUNEI, AND SABAH)

There are 50 species of venomous snakes in Borneo belonging to 24 genera in four families. Among them 10 genera and 17 species of sea snakes are found in Sarawak (Haile, 1958); these are: *Laticauda laticaudata, L. colubrina, Aipysurus eydouxi, Kerilia jerdoni, Thalassophina viperina, Enhydrina schistosa, Hydrophis brooki, H. fasciatus, H. caerulescens, H. cyanocinctus, H. spiralis, H. melanosoma, H. torquatus, Thalassophis anomalus, Lapemis hardwicki, Microcephalophis gracilis*, and *Pelamis platurus*.

In Sarawak Museum, specimens of *Laticauda colubrina, L. semifasciata, Hydrophis cyanocinctus*, and other unknown species were observed.

In Borneo, drift nets are used for fishing, and the snakes go through the nets. However, when a trawling net is used, sea snakes are often caught with the fish. Since they drag the net for 1 to 2 hours, many of the sea snakes are killed or weakened as they can not come to the surface for air. The distribution of different species of sea snakes is not known because of the lack of experts in this region no systematic scientific investigation has been made by qualified scientists.

In the Fisheries Department at Sabah, specimens of *Hydrophis spiralis, H. brooki, Enhydrina schistosa*, and *Lapemis hardwicki* were observed.

JAPAN

Most of the sea snakes in Japan are found in the southwestern part, especially in the Ryukyu Islands, Amami Islands, and coast of Kagoshima.

Eight species were reported from Amami Islands (Mishima, 1965). They are *Laticauda laticaudata, L. semifasciata, L. hardwicki, L. colubrina, Emydocephalus ijimae, Hydrophis melanocephalus, H. cyanocinctus*, and *Pelamis platurus*.

Maki (1931) reported the presence of *Hydrophis melanocephalus* near Amami Islands.

The presence of *H. ornatus* was reported by Okonogi (1967). Maki (1931) stated that *Emydocephalus ijimae* was also found in Yaeyama Islands and Kwashoto. *L. semifasciata* can be found in Ryukyu, Kagoshima, and Tokara Island (Homma, 1965). *L. semifasciata* frequently comes to the beach and prefers a rocky island. The most common species in the Amami Islands are *L. semifasciata* and *L. laticaudata*. *L. colubrina* is frequently found in Formosa but it is rare in Amami Islands. *H. cyanocinctus* is most feared by fishermen of Amami because of its lethality and aggressive nature. Mishima (1965) reported that fishermen frequently met a colony of *H. cyanocinctus* in the ocean in the vicinity of Amami Island.

TOXICOLOGY

It is generally recognized that sea snake venoms are more toxic than those of terrestrial snakes. Early work on toxicities was expressed in minimum lethal dosage, while more recent work has been expressed in LD_{50} values.

In 1904, Fraser and Elliot reported that lethal doses of the venom of *Enhydrina (valakadien) schistosa* were 0.09 mg in rats, 0.06 mg in rabbits, and 0.02 mg in cats per kilogram body weight, respectively. In 1929, Nauck showed that the venom of *Pelamis (bicolor) platurus*, of the Pacific Ocean had a marked neurotoxic action, and 0.5 mg of the venom was sufficient to kill a guinea pig of 500 g within 2 hours, producing asphyxia and paralysis of the respiratory system. In 1931, Smith and Hindle reported that the minimum lethal dose of *Laticauda colubrina* venom was 0.113 mg per kilogram body weight in mice.

Barme (1963) investigated the toxicity of sea snake venom of Vietnam origin. The results expressed as minimum lethal doses on 20 g mice are summarized here:

Lapemis hardwicki (μg)	4.0
Enhydrina schistosa	2.5
Hydrophis cyanocinctus	7.0
Kolpophis annadalei	11.0
Microcephalophis gracilis	2.5
Hydrophis fasciatus	3.5
Thalassophina viperina	7.0
Pelamis platurus	10.0

The toxicity of *Laticauda semifasciata* captured in Botel-Tobago Island near Formosa has been thoroughly studied by Tu (1957, 1958, 1959*a, b*, 1961). These results are summarized here:

	Subcutaneously	Intravenously
LD:		
Mice	0.338 ±0.013 (mg/ikg)	0.211 ±0.012 (mg/kg)
Guinea pig	0.0897±0.0028	0.0631±0.0023
Rabbits	0.0495±0.0027	0.0486±0.0025
MLD: Frogs	10–30	

Toxicity of *Laticauda colubrina* was also studied by Tu (1962), and the LD_{50} value was 0.415 mg per kilogram mouse.

Arai *et al.* (1964) tested the toxicity of *Laticauda semifasciata* and *L. laticaudata* captured in Amami Island and found the minimum lethal dosages to be 0.50 and 0.30 mg per kilogram mouse, respectively. Tu (1963, 1967) also investigated the toxicity of *L. laticaudata* of Formosan origin and found that the LD_{50} was 0.179 mg/kg mouse (0.153–0.241 mg).

Carey and Wright (1960*a, b*) reported that the LD_{50} of *Enhydrina schistosa* for mice and rabbits was between 0.05 to 0.12 cj per kilogram.

Cheymol *et al.* (1967) studied the LD_{50} values of venom of three sea snakes captured along the Vietnam coast. They were:

	Mg/kg mouse
Lapemis hardwicki	0.440
Enhydrina schistosa	0.350
Hydrophis cyanocinctus	0.665

It is of interest to compare these results with the toxicities of sea snake venoms collected by the author in Southeast Asia in 1967.

From the data, it is clear that sea snake venoms are more toxic than those of land snakes. However, the quantity of venom that can be obtained from sea snakes is much smaller than the amount obtained from land snakes. Barme (1963) reported the yields to vary from 0.5 to 30 mg dry weight per snake.

Venoms and origin	LD_{50} (*mg/kg mouse*)
Laticauda semifasciata, Philippines	0.30
Lapemis hardwicki, Thailand	0.71
Hydrophis cyanocinctus:	
Hong Kong	0.70
Malaya	0.35
Pelamis platurus, Formosa	0.18
Enhydrina schistosa:	
Thailand	0.14
Malaya	0.09

T. Tu (1967) milked the venom of *Laticauda laticaudata affinis* and obtained 2.5 mg venom from 14 snakes yielding 0.18 mg per snake. Tamiya *et al.* (1966) obtained 5 g from 350 *L. laticaudata* by extracting venom from isolated venom glands. The yield by this method was therefore 14.3 mg per snake.

Rogers (1903) reported that the average yield of *Enhydrina schistosa* venom per bite was 9.4 mg. However, Reid (1956) found that the average for the initial bite of *E. schistosa* in captivity was 15 mg with a range of 0–55 mg.

Venoms were extracted from the dissected venomous glands (Fig. 10). The yields of venoms from sea snakes collected in 1967 are summarized here.

Snakes and origin	Yield (mg venom/snake)
Laticauda semifasciata, Japan	17.0
Enhydrina schistosa, Thailand	8.1
Pelamis platurus, Formosa	2.0
Hydrophis cyanocinctus, Hong Kong	2.1
Lapemis hardwicki, Thailand	5.2
Aipysurus eydouxi, Thailand	0.6
Laticauda semifasciata, Philippines	16.0

Tu (1957, 1958, 1959*a, b*, 1961) reported that *Laticauda semifasciata* venom produced a marked inhibition of respiration and caused an initial rise followed by a fall in blood pressure. The venom also produced a stimulation action on isolated frog heart and a slight stimulation on rabbit hearts. The coronary out-flow of the rabbit heart sometimes showed a slight increase. For small doses, the venom caused dilation in frog leg vessels, but constricted after a transient dilation at high doses. It constricted the ear vessels of rabbits after a transient dilation. It caused a constriction of the visceral blood vessels and vena abdominalis of frogs. The isolated smooth muscle of the rabbit intestine was stimulated, then inhibited in large doses. Isolated smooth muscle of the rabbit uterus, the isolated earthworm muscle, and the isolated stomach and intestine of frogs were stimulated by the venom. The venom showed a curare-like action and a direct paralytic action on the isolated frog gastrocnemius muscle. The venom raised the blood sugar level of rabbits and produced hemolysis of rabbit erythrocytes.

The contraction of an isolated frog sciatic-nerve-sartorius-muscle preparation by electrical stimulation through the nerve ceased in 20 to 25 minutes. However, when isolated *Laticauda semifasciata* toxin was added to the medium the contraction by direct electrical stimulation of the muscle was not affected (Tamiya, 1966). The contraction of the rectus abdominis muscle of a frog by acetylcholine was inhibited by the isolated toxin. The inhibition was not removed by washing the muscle with Ringer solution. In contrast, the contraction of the muscle by KCl was not affected by the toxin.

The toxicological properties of *Laticauda laticaudata* venom was somewhat similar to that of *L. semifasciata* (Tu, 1963, 1967). Tu (1963, 1967) reported that the venom inhibited the contraction of the isolated *recus abdominis* muscle of the frog induced by acetylcholine. The venom had no effect on the isolated gastrocnemius mucle of the frog, but showed an inhibitory effect on the neuromuscular junction.

Carey and Wright (1961) reported that *Enhydrina schistosa* venom had a neuromuscular blocking action when tested on the isolated rat phrenic nerve-diaphragm preparation. Chan and Geh (1967) found that *E. schistosa* venom caused muscle weakness and respiratory paralysis in the intact guinea pig; there was, however, no histological evidence of muscle necrosis. Evidence obtained from the isolated phrenic nerve diaphragm and the sciatic nerve gastrocnemius preparation of the rat suggested a neuromuscular blocking action. They also observed that the venom did not have any atropine-like or cholinesterase activity.

In contrast to the case of experimental animals, a necrotic lesion of muscle tissue was observed on a human victim of sea snake bite (Reid, 1956; Marsden and Reid, 1961). Myoglobinuria was also a typical symptom of sea snake poisoning in a human subject (Reid, 1961). However, no histological lesions were observed in nerve tissue although sea snake venom was neurotoxic.

Cheymol *et al.* (1967) studied the neuromuscular blocking action of three sea snake venoms, *Enhydrina schistosa, Hydrophis cyanocinctus, Lapemis hardwicki* from Vietnam. Actions of these three venoms were

very similar and possessed the following characteristics:

1. The paralysis was a peripheral one.
2. Muscular fibers were not directly blocked.
3. Venoms did not affect nerve fibers.
4. Specific receptors of the postsynaptic membrance were blocked almost irreversibly.

Barme *et al.* (1962) prepared horse antivenin for *Lapemis hardwicki*. One milliliter of this serum neutralized 400 ug of homologous venum, 150 ug of *Enhydrina schistosa* venom, and 250 ug of *Hydrophis cyanocinctus venom*. Effectiveness of the antivenin in actual clinical treatment was observed by Barme (1963).

Okonogi *et al.* (1967) prepared rabbit antivenin for *Laticauda semifasciata* using formalin (10 percent) treated venom. The antivenin was effective against homologous venom and also against *Hydrophis cyanocinctus* venom.

BIOCHEMISTRY

As compared to the venoms of land snakes, sea snake venoms contain fewer enzymes. Uwatoko *et al.* 1966*a, b*) reported that *Laticauda semifasciata* venom contains neither protease nor cholinesterase activities. Phospholipase A activities were detected but it was not in the main toxic fraction.

Absence of typical endopeptidase was also reported by Tu *et al.* (1966). When synthetic substrates for trypsin such as *p*-toluene-sulfonyl-L-arginine methyl ester and N-benzoyl-L-arginine ethyl ester, were used, venoms of *Laticauda colubrina* and *L. semifasciata* did not hydrolyze these substrates. This was quite similar to Elapidae venoms which also did not hydrolyze these substrates. This was quite similar to Elapidae venoms which also did not hydrolyze these substrates. In contrast to sea snake (Hydrophiidae) and Elapidae venoms, Crotalidae and Viperidae venom hydrolyzed these substrates. Specific substrates for chymotrypsin such as N-acetyl-L-tryosime ethyl ester and N-benzoyl-L-tyrosine ethyl ester were not hydrolyzed by venoms of any terrestial snakes or by sea snake venoms. Although the venom of *L. colubrina* coagulated fibrinogen to fibrin-like material, *L. semifasciata* venom had fibrinolytic action.

A specific substrate for leucineaminopeptidase, L-leucyl-β-naphthylamide, was employed in determining the hydrolyzing ability of a number of species from each family of venomous snakes by Tu and Toom (1967). Although there were considerable species specific variations in the ability to hydrolyze this substrate, all the venoms investigated including sea snake venoms hydrolyzed this substrate. Three sea snakes were used: *Laticauda laticaudata* from Amami Island, *Enhydrina schistosa* and *Hydrophis cyanocinctus* from the Straits of Malacca.

Fractionation of sea snake venom of *Laticauda semifasciata* was made by Uwatoko *et al.* (1966). They obtained two major toxic fractions and three minor toxic fractions using carboxymethyl cellulose resin. Crystallized major toxins were named "Crystal Laticatoxin III" and "Crystal Laticatoxin IV," respectively. Both ultraviolet and infrared absorption spectra of the two toxic fractions showed typical protein spectra. Tamiya and Arai (1966) also fractionated the same venom with CMC and obtained four toxic fractions of which two were characterized. Direct comparison of chromatograms obtained from two research laboratories indicates that so-called Erabu toxin *a* and *b* correspond to Crystal Laticatoxin III and IV. the amino acid composition of these two toxins was very similar. Okonogi (1966 personal communication) expressed doubt that these two toxins might be due to contamination by two species or subspecies of snake venoms.

Immunological properties of sea snake venoms were investigated by Carey and Wright (1960a). Venoms of *Enhydrina schistosa, Hydrophis cyanocinctus,* and *H. spiralis* had no cross reactions with anti-*E. schistosa* venom. However, no such cross immunity reactions were observed for cobra (*Naja naja*) of either Thailand or Malayan origin. Carey and Wright (1960) also isolated neurotoxic fraction of *E. schistosa* with CMC ion-exchange resin. They observed that 90 percent of the toxicity passed through a cellophane membrance, but 90 percent of lecithinase activity was retained in the dialysis bag. This strongly suggests that the toxicity of sea snake venom is not due to lecithinase present in the venom.

Thermostability of sea snake venoms *Laticauda semifasciata, L. laticaudata,* and *Hydrophis cyanocinctus,* was reported by Homma *et al.* (1964). They also reported high stability of toxicity against a wide range of pH (pH 1.4 to 9.6). This evidence seems to indicate that sea snake venom is a relatively small protein molecule with high stability.

Carey and Wright (1961) found that only the fraction of *Enhydrina schistosa* venom containing phosphatidase is toxic to the central nervous system.

Taub and Elliot (1964) observed that *Enhydrina schistosa* venom caused a marked swelling of rat liver mitochondria. Some release of cytochromec from the mitochondria to the solution and an 80-percent decrease in oxygen uptake accompanied the swelling. Sea snake venom as well as Elapidae snake venoms inhibited succinate oxidation by mitochondria.

Ziegler *et al.* (1967) showed that *Enhydrina schistosa* venom as well as other land snake venom caused uncoupling and reverse acceptor control to develop in rat liver mitochondrial preparation.

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ESTABLISHING A SELECT HOUSE COMMITTEE TO INVESTIGATE U.S. ENERGY RESOURCES

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Tennessee (Mr. FULTON) is recognized for 20 minutes.

Mr. FULTON of Tennessee. Mr. Speaker, the United States today faces more than a temporary fuel crisis. We face the distinct possibility of a sustained power fuel shortage over a number of years.

This possibility will become a probability unless we take immediate steps to alleviate the imbalances which exist between our current and projected power fuel requirements on the one hand, as opposed to our diminishing ability to meet these needs.

Though the problem is very complex, it can be rather simply stated: demand for power fuel of all types, both domestically and abroad, is growing at a rate beyond earlier expectations and projections, while production is not keeping up with the demand.

The complexities of the problem enter the picture when an ironic overlay is applied: domestic fuel reserves are adequate to meet expected needs for years to come.

Coal reserves are estimated at 800 billion to 1 trillion tons, enough to last for a thousand years at current production rates.

Proven natural gas reserves of about 275 trillion cubic feet would meet present demand levels for almost 14 years even if no new wells were opened and, additionally, geologists estimate that an additional 900 trillion cubic feet of gas are yet to be discovered. But existing gas reserves are becoming dangerously low.

There are more than adequate oil reserves, while the potential of future production of power from nuclear fusion and even nuclear fission offers the prospect of almost unlimited new energy sources.

Despite the vast reservoirs of power fuel, the United States finds itself in a critical situation today regarding its energy and a potentially dangerous situation in immediate future years.

The Office of Emergency Preparedness estimated that the demand for U.S. coal in 1970 would be about 583 million tons. Production was expected to reach only 571 million tons, leaving a shortfall of 12 million tons which would have to be made up from existing coal stockpiles that, as the recent experience of the Tennessee Valley Authority has demonstrated, are seriously depleted.

Oil and gas demands are also exceeding production.

Utilities are producing 75 percent more electricity today than they did in 1960, but power reserves have dwindled from 30 percent of their capacity in 1960 to 16 percent in 1970. The Federal Power Commission considered a 20-percent reserve level adequate.

Current thinking is that meeting the power requirements of tomorow, even if we overcome our critical situation today, will be difficult even under ideal circumstances.

It is estimated that peak demands on electric utility systems will rise to 1,051 million kilowatts by 1990. This is equivalent to a peak demand more than five times that experienced in 1965, the year of the great east coast "blackout."

Annual electric energy requirements in 1990 will exceed 5.8 trillion kilowatt hours, in comparison with 1.06 trillion kilowatt hours required in 1965. This is an increase of 284 percent.

During most of the intervening years between now and 1990, the United States will have to rely primarily on the energy fuel sources which are currently employed; coal, gas, and oil.

A glance at the following table drawn by the Federal Power Commission gives a clear picture of power fuel requirements, percentage of contribution, and expected demand in the production of electricity over the next two decades.

PROJECTED FUEL USE BY ELECTRIC UTILITIES [1]

(Amounts in million of tons)

	1970		1980		1990	
	Amount	Percent	Amount	Percent	Amount	Percent
Coal	304.6	56.7	472.0	42.5	613.6	28.8
Gas	145.9	27.2	195.9	17.2	245.9	11.6
Oil	59.5	11.1	86.8	7.8	91.8	4.3
Nuclear	27.2	5.0	356.5	32.1	1,176.1	55.3
Total	537.2	100.0	1,111.2	100.0	2,127.4	100.0

[1] Figures may not add to totals due to rounding.

Source: Federal Power Commission.

It is apparent that nuclear power production which, in the late fifties and early sixties, appeared to be a prime power fuel source in the 1970's, but will not reach its hoped-for capacity until the mid or late 1980's.

In the mid-sixties, large electronics manufacturers, encouraged by the Atomic Energy Commission and supported by Government research money, convinced almost all the major electric utilities that they should rely on nuclear power for future expansion of their generating capacities.

Nuclear energy was touted as being less expensive and less of an environmental threat than the fossil fuels; coal, oil, and gas.

However, by last summer it was evident that the nuclear age in power production was not going to arrive as soon as forecasted.

Technological problems beset the 17 nuclear plants then in service. During 1968 there were 11 operational nuclear plants and each was shut down for a period of time for minor repairs. One plant never did reopen, unless it has done so recently, while five others remained closed for 27 months. During 1969 and the first half of 1970, 11 major breakdowns accounted for a total of 39 months disruption in service.

In the meantime, the power consumer is becoming painfully aware of one fact: his utility bills are going up.

It is costing him more and more to heat his home in winter, cool it in summer, prepare his food and operate his appliances.

He may not understand why it is happening, but he is painfully aware that it is happening, that his costs are increasing, adding to the inflationary price spiral and reducing his purchasing power.

The first place the consumer is likely to look to cast blame is at the power fuel industry.

It is documented that there is an increasing concentration in fuel ownership and it is charged that this is a significant contributor to the fuel crisis. The National Economic Research Association, a

private research organization, found that the 25 largest American oil companies owned holdings in natural gas. Of these, 18 held holdings in oil shale, 18 in uranium, 11 in coal and seven in tar sands. These companies, the study reported, accounted for 20 percent of the present coal output and one of them, Kerr-McGee Corp., accounted for 23 percent of total uranium milling capacity directly and 4 percent through half ownership.

The oil industry maintains, however, that fuel supplies would be just as low and prices just as high if the industry held no holdings in another fuel source.

On September 11, 1970, the National Coal Association testified before the Senate Interior Committee that most of the oil industry's coal holdings were in undeveloped reserves that could not be readily exploited. It asserted that the oil industry had purchased reserves not to run up coal prices, but in anticipation of converting coal to synthetic gases and other products in the future.

In addition, the gas and oil industry argues that public policy does not provide enough incentive to explore and develop new wells. This can of course be argued, but the fact remains that in 1956, a record year, there were 57,390 new gas and oil wells drilled. In 1968 new wells totaled only 30,495.

Over the past 2 years, gas consumption has exceeded the amount discovered, while the Nation's proven gas reserves have fallen to 14 trillion cubic feet. John Emerson, an economist for the Chase Manhattan Bank, estimates that by 1980 the daily domestic requirement for gas will be 93 billion cubic feet against a supply of 63 billion cubic feet.

Coal has had its particular problems. The history of the coal industry in the United States has been one of feast or famine. Perhaps no other power fuel industry has suffered more from cyclical fluctuations in the economy. In the past, coal has generally been the victim every time a new energy source became available. Whenever a new product comes on the scene, be it gas, oil or nuclear power, it is coal that suffers. Today, when coal is more difficult and expensive to mine, new safety requirements have added further to its cost of production. And yet, even today, the demand for coal is as great or greater than at any time in history and this product remains a bulwark of our national power fuel reserve.

Recently we have recognized, though we have long been warned, that every one of our power fuels, pose a growing threat to our environment and may endanger, ultimately, man as a species.

Today, when our Nation needs more and more power-producing capacity, our new concern over the environment and its potential polluters have made powerplants unwelcome neighbors.

It is estimated that fossile-fueled generating plants contribute 50 percent of the sulfur oxides and about 25 percent of the particles which pollute our air.

Electric power generation requires a tremendous amount of water for cooling purposes, about 80 percent of the water used by all industry for this purpose.

This water is returned to the rivers and streams from which it was taken, but at a temperature considerably higher, sometimes 25 times higher than it was removed, creating thermal pollution leading to environmental dangers to plant and animal life.

In 1967 the Congress enacted the Federal Air Quality Act and since that time many municipal authorities have adopted regulations imposing restrictions on fuels with a sulfur content of more than 1 percent. It is estimated, however, that only 10 percent of all U.S. coal deposits can meet these low-sulfur requirements.

As a result, many firms have shifted to oil or gas, causing a further strain on existing supplies and pressure on prices.

The technology required to remove sulfur emissions from utility stack gasses is still being tested and it is estimated that it will not be available for several years.

The availability of transport facilities for power fuel from source to producer continues to be a nagging problem.

This Nation seemingly suffers a continuous shortage of coal cars for rail transport. This situation has become particularly acute over the past year and a half because of our growing coal exports. These exports, mostly high-grade metallurgical coal which is not suitable for domestic power production, increased 12 percent to 56 million tons in 1969 and, during the first 4 months of 1970, accounted for 9 percent of U.S. production. While this coal may not be usable for power production, it does require transportation to port facilities and this has contributed measurably to the coal car shortage.

At a time when Middle Eastern oil is in short supply because of a rupture in the trans-Arabian pipeline—which Lybian authorities refuse to repair—and a desire by supplier nation governments to increase their royalties, there has developed a severe oil tanker shortage which has sent transportation costs skyrocketing.

Oil from the ruptured pipeline must now be shipped from the Persian Gulf around Africa. The tankerage required by these lengthened trips is estimated to be about six times what it was before the pipeline was ruptured.

In late 1970 it cost nearly $2.60 to ship a barrel of oil from the Persian Gulf to Rotterdam, about double the price of 2 years earlier. In late 1970 low sulfur residual oil bought on the east coast spot market cost $4.10 a barrel, compared to an average price of $2.20 just a year earlier.

These are just some of the problems which beset the power fuel producers of America. Each, in itself, is a major problem. But, as of today, very little is actually being done by the Government to alleviate these problems or protect the consumer from further increases in power fuel costs.

One of the reasons the Government has not been able to fulfill any meaningful role in dealing with the problem is that it is just not set up to do so.

We have no national fuel policy, no overall instrument for carrying out such a policy if it existed and those instruments available to the Government have been criticized as being myopic, of narrow interest, and too fragmented. We really have no single Federal agency to gather information on what our needs may be or to plan for meeting these needs. Instead we have a variety of policy-setting agencies:

The Federal Power Commission, responsible for regulating natural gas and electricity sold in interstate commerce.

Atomic Energy Commission, authority for licensing nuclear power and plants.

Interstate Commerce Commission, jurisdiction over interstate gas pipelines and railroad transportation.

Treasury Department, tax matters that affect exploration and development for oil and natural gas.

Justice Department, enforcement of antitrust policy affecting competition and monopoly in fuel industry.

National Air Pollution Control Administration, within the Department of Health, Education and Welfare, together with the Federal Water Pollution Control Administration, deals with antipollution standards.

Interior Department agencies: Bureau of Land Management and Bureau of Indian Affairs, authority over mineral extraction from Federal and Indian land holdings; U.S. Geological Survey, authority over drilling on offshore sites leased from the Federal Government.

Oil Import Administration, another Interior Department Agency, and the independent Foreign Trade Zones Board, authority over oil imports.

In addition, we have, within the Congress, various committees with interest in and authority over various aspects of our power fuel resources and their concerns.

Finally, Federal research into the development of new sources of energy has been drastically curtailed. In recent years, when such support was available, too much of it appears to have been concentrated in one area, nuclear power.

In the fiscal year of 1970, it has been estimated that 84 percent of all Federal research funds had been allocated to the AEC. Meanwhile, the National Coal Association states that it had to halt promising work on converting coal into a pollution-free boiler fuel for electric utilities in 1968 for the lack of about $5 million in research money.

All this adds up to a picture of mismanagement of natural fuel resources, shortsightedness in public policy, and the specter of continuing shortages and higher power prices over the decade to come.

It thus becomes apparent that there is an urgent need for a complete study and investigation of the ills which afflict our ability to meet this Nation's power needs today and in the future.

There is no single problem. There are many complicated and complex problems which, woven and entangled, weave a fabric of which threatens to strangle our national growth.

It is necessary to unravel this problem, to isolate and inspect the various strands, and to recommend solutions and policies

which will insulate us from future shortages and the recurring fuel crises from which we suffer today.

For these reasons, I am offering legislation to establish a select House commitee to study the energy crisis in America from all possible aspects.

The purpose of the study is not to find fault unnecessarily or level a divisive finger of blame. Rather it is to protect the American power consumer and his pocketbook while supporting, reinforcing, and encouraging the viability of our power fuel producers.

It is my current belief that the work of this committee should not require an extended amount of time. It should be able to complete its study, evaluate its findings, and report to the House within the lifetime of the 92d Congress.

I believe, finally, that the House of Representatives is the appropriate body to undertake this work because its membership is closer to the people of America and can better evaluate their needs and act in their best interests.

Within the House, several of our excellent committees and their subcommittees have jurisdiction in this matter and some have given the problem special attention.

However, the scope of the problem is so broad and its ramifications so complex, numerous, and varied that I believe a select committee should be given the task of thoroughly studying the problem and returning its findings and recommendations to the House of Representatives.

This task should not require a great deal of time and expense. It is my view and my hope that the committee could complete its study, evaluate its findings, and offer its report and recommendations within the lifetime of the 92d Congress.

I wish to commend the various standing committees for the attention they have given this problem to date and the light they have shed. It would be my hope that the Speaker would draw from the membership of these committees in making his appointments to the committee established by this resolution.

Finally, the Nation requires and deserves a solution as rapidly as possible. The northeast power shortages, blackouts and brownouts of today will spread throughout the Nation unless a solution is found. The establishment of this committee will provide the most expeditious method of seeking and coming to grips with the problem and recommending feasible solutions.

WATER POLLUTION ABATEMENT LOAN ACT

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Massachusetts (Mr. HARRINGTON) is recognized for 10 minutes.

Mr. HARRINGTON. Mr. Speaker, Congressman MORSE and I today are introducing a bill to provide $800 million low-cost loans to marginal industries for water pollution abatement. We have been joined by 23 other Congressmen.

At the present time no Federal program exists to help private industries build waste treatment plants. Many firms cannot afford the additional expense of treatment plants and would have to pass the cost on to the consumer or go out of business. The Federal Government obviously must aid these firms if water pollution is to be successfully curtailed.

Ten billion dollars are needed for industrial waste treatment facilities throughout the country. Yet, this legislation introduced today is the first effort to provide a specific Federal program of aid to industry for the gigantic undertaking of cleaning up industrial pollution.

The Industrial Water Pollution Abatement Loan Act of 1970 would make loans available through the Office of Water Quality, part of the Environmental Protection Agency.

The bill sets two criteria for loans. The business first must show that it cannot operate competitively if it is required to pay the entire cost of waste treatment construction. The firm secondly must demonstrate that other financing is not reasonably available.

However, low-cost loans are not enough. The effort to abate water pollution must involve all segments of the country. The Federal, State, and municipal governments will have to work together with industry. And it is the responsibility of every citizen to participate in focusing national attention on this need.

This country has the resources to make abatement possible. The question is one of priorities and of will.

Following are the cosponsors: Mr. HARRINGTON, Mr. MORSE, Mr. ADAMS, Mr. BURTON, Mr. CARNEY, Mr. CORMAN, Mr. COUGHLIN, Mr. DUNCAN, Mr. EDWARDS of California, Mr. ESCH, Mr. FRASER, Mr. HALPERN, Mr. HAMILTON, Mr. HANSEN of Idaho, Mrs. HECKLER of Massachusetts, Mr. HORTON, Mr. KOCH, Mr. LEGGETT, Mr. PIRNIE, Mr. PODELL, Mr. REES, Mr. SCHWENGEL, Mr. STEELE, and Mr. SYMINGTON.

BILL TO PROHIBIT HARMFUL OCEAN DUMPING

Mr. Speaker, the papers are full of news about the contamination of fish and other marine life by mercury, DDT and NTA. and the waters of the New York Bight have been almost totally destroyed by sludge dumping. These are well-known examples of the dangers of dumping substances into our oceans without knowing the consequences of our actions. No standards to regulate the dumping of waste products in our coastal waters have ever been established, nor has the person wishing to dump ever been required to demonstrate that the material would be harmless. Legislation is obviously required. That is why I am introducing this bill today.

Pollution has become the end product of our society. But pollution need not have been inevitable. It can still be stopped. One of our greatest resources is our oceans, but the waters of the New York Bight are dead, the waters off the Boston Light Ship are dying, and fish along all of our coasts are being contaminated. In a message to the Congress on waste disposal on April 15, 1970, President Nixon stated:

> About 48 million tons of dredging, sludge, and other materials are annually dumped off the coastlands of the United States.

We are hearing more and more about the incredible value of our oceans. We hear that our food supply may eventually come in greater proportion from the ocean than from the land. Untapped mineral resources are within these waters. As a source of oxygen and through its interaction with the terrestrial ecosystems, a healthy ocean may well have critical importance for the survival of the human species.

The coastline of the United States is 88,633 miles long—99,613 if you include the Great Lakes. Seventy-five percent of our population lives in the 30 States that comprise the coastal zone. Forty-five percent of our urban population lives in coastal counties. Twenty-five percent of our entire population lives within 50 miles of the coast. As you can see, the pollution of our oceans directly affects more than 150,000,000 people in this country.

It has been estimated that 90 percent of the ocean produces a negligible fraction of the present fish catch and has little potential for yielding more in the future. The coastal waters produce almost the entire shellfish crop and nearly half the total fish crop. Recreational values, oil and mineral resources, and mineral waste disposal areas are concentrated almost entirely in the coastal regions of the ocean. The Marine Science Council estimates that 8 percent of the Nation's shellfish, representing 1.2 million acres of shellfish grounds, have been declared unsafe for human consumption. Dumping of wastes accounts in large measure for this destruction.

The National Commission on Marine Science, Engineering, and Resources has reported—

> In the past 20 years, dredging and filling have destroyed 7% (more than a half million acres) of the Nation's important fish and wildlife estuarine habitats.

We obviously need legislation to stop this devastation. Our new technology has created new kinds and larger amounts of material which must be disposed of. The disposal of domestic wastes into our coastal waters has introduced toxic, heavy metals, and organics into these waters. The result has been to lower the available oxygen content of the bottom water. We have a clear example of this in the New York Bight. It has been found that in the bight area all of the typical forms of bottom life which normally inhabit similar areas have been eliminated from the damaged areas. The pollutants may be transported by water, or by moving sediments and may affect the life in a far greater area.

During the past 30 years, we have disposed of many synthetic chemicals heretofore unknown. These chemicals are foreign to organisms and natural pathways of biodegradation are lacking or inefficient. Thus many chemicals now dumped into our coastal waters enter the marine food chain and increase in density as they move through the chain until they become harmful to both marine and human life. Dr. Max Blumer, senior scien-

tist at the Woods Hole Oceanographic Institute in Massachusetts, has stated:

The marine food web is so involved and the biochemical processes necessary for the survival of every species are so complex that it is virtually impossible to foresee which species might be damaged by a certain persistent chemical. The award of the Nobel Prize to the discoverer of the insecticide DDT illustrates our ignorance in this area. Lacking sufficient foresight we need to be much more cautious in the use of persistent chemicals lest we disrupt inadvertently processes in the sea on which our survival may depend.

Our oceans will take far longer to recover from pollution than a river or lake. A small lake may be restored in a few years. Lake Erie may possibly be restored within 50 years—but an ocean will remain irreversibly damaged for many generations.

Dr. B. H. Ketchum of Woods Hole has pointed out "that nature has a tremendous capacity to recover from abuses of pollution, so long as the rate of addition does not exceed the rate of recovery of the environment. When this limit is exceeded, however, the deterioration of the environment is rapid and irreversible." I am afraid that our present rate and manner of dumping may exceed that limit now. If it is allowed to continue, irreversible damage is inevitable.

Mr. Speaker, we need a nationwide program to prevent the pollution of our oceans and Great Lakes, and we particularly need to revitalize those areas where dumping has already caused grievous harm. We must have standards now. That is why I have introduced my bill. Members of the House have joined with me in filing this legislation.

At the present time there are no adequate Federal standards which prohibit granting permits to dump into the coastal waters of the United States if such refuse material would harm the environment. The Corps of Engineers was authorized by the Rivers and Harbors Act of 1899—the Refuse Act—to issue permits for all construction and dumping into the navigable waters. In the early years of issuing permits under this authority, the guidelines were solely on the basis of the effect of the proposed work on navigation.

The Corps of Engineers, in a letter to me dated April 29, 1970 stated:

By the Coordination Act of 1958, and subsequent amendments, the Corps was directed to coordinate this (dumping permit) activity with the Department of the Interior, and to consider their views on the effect of the proposed work on fish and wildlife and the ecology. The guidelines on issuance of permits have been broadened considerably over the past few years, and now consider the effect of the proposed work on fish and wildlife, conservation, pollution, and other factors affecting the general public interest, in addition to the effect on navigation.

I have quoted this passage because it so clearly exemplifies the problem we face. The fact is that the corps has not taken ecological factors into consideration. In the same letter, the corps included a list of waste products which, under a permit which they issued, have been dumped into the coastal waters off Massachusetts—in fact, into the coastal waters off Gloucester and Rockport in my district. Included in the list is "mercury contaminated wastes." In fact, for several years 35 pounds of mercury wastes were dumped 9.3 miles northeast of the Boston Light Ship. And that is not all, 750 pounds of beryllium, 1,000 gallons of sulphuric acid and hundreds of gallons of other chemicals were dumped into these waters until the State insisted that the permit be suspended last February. The corps has issued hundreds of permits over the years which allow for the dumping of industrial wastes and for dredging.

It is clear that the Army Corps of Engineers cannot possibly be taking ecological matters seriously when until only 6 months ago they issued permits to dump anything from mercury to beryllium. I need not go into the details of mercury poisoning. The papers have told the story many times recently. But I do believe that the problems of mercury poisoning points up the necessity for standards governing dumping into our navigable waters.

Section 5B(b) of my bill would require the Administration of the Environmental Protection Agency, acting through the U.S. Fish and Wildlife Service and in consultation with the Army Chief of Engineers to establish standards "which apply to the deposit or discharges into the ocean, coastal, and other waters of the United States of all industrial wastes, sludge, spoil, and all other materials that might be harmful to the wildlife or wildlife resources or to the ecology of these waters." The purpose of these standards is to insure that no damage to the natural environment or ecology of these waters will occur as a result of this activity.

Section 5B(a) defines "ocean, coastal, and other waters" as "oceans, gulfs, bays, saltwater lagoons, saltwater harbors, other coastal waters where the tide ebbs and flows, the Great Lakes, and all waters in a zone contiguous to the United States extending to a line 12 nautical miles seaward from the baseline of the territorial sea as provided in article 24 of the Convention on the Territorial Sea and the Contiguous Zone."

Section 5B(a) also requires that the person wishing to dump sustain the the "burden of proof" that the materials that are dumped will not endanger the natural environment of these waters and will meet any additional requirements as the Administrator of the EPA deems necessary for the orderly regulation of such activity. Burden of proof does not require the person wishing to dump to prove beyond a shadow of a doubt that the materials will be harmless. Rather, burden of proof requires a "preponderance of evidence" which demonstrates that the dumper can abide by the standards. I feel that placing the burden of proof on the dumper is an important factor in this legislation. It is time that those who wish to dispose of refuse material be required to assume the ecological consequences of their actions. I do not believe that the U.S. Government should be responsible for the expense of subsidizing the ocean dumping of private interests.

In addition, this legislation takes into account the fact that in some locations materials can be dumped without harm to the ecology of the waters, whereas the same materials would be harmful to other areas. I have always felt that a unilateral prohibition against dumping was both unjust and unrealistic. Ocean currents in some areas will disperse most refuse material to the point where it does no harm. In other locations, however, the material may stagnate.

The legislation also provides that different amounts of the same type of refuse may be dumped in different locations. Each dumping site and material has its own particular characteristics and these must be taken into account, as they will have to be by the person wishing to dump. There are, of course, certain materials such as mercury which would not be dumped at all. The standards set by the Administration of the EPA and the burden of proof required of the dumper would effectively prohibit any dumping of such materials. Therefore, this section provides a flexible approach to the problem of dumping into the coastal waters.

Section 5B(c) provides that the standards established by the Administrator of the EPA shall be adopted and applied to all Federal and State authorities which have the right to issue authorizations to discharge or deposit material into these waters.

Section 5B(d) requires that the standards apply to all parts of the Federal and State governments and all persons who have authorization from the State or its agency to deposit or discharge such materials into these waters.

Section 5B(e) permits the States to establish and enforce standards covering these activities within their jurisdiction only on the condition that the State standards are stricter than the Federal standards and that the States provide "adequate procedures for enforcement." I believe this section is important because, as we have seen in the case of automobile pollution, many States have wished to enact stricter regulations than the Federal ones but have been unable to do so because Federal law requires that the Federal standards apply. There is presently a bill before the Massachusetts Legislature to provide for the regulation of ocean dumping off the Massachusetts coast area. There may be similar bills before other State legislatures. Therefore, a provision such as the one in this section is necessary to permit State regulation under controlled circumstances.

Section 5B(f) provides that every State and Federal instrumentality and every person applying for authorization to discharge or otherwise dispose of any material into these waters maintain records, make reports and provide whatever additional information the Administrator of the EPA needs to determine that the standards are being complied with. The Administrator may also, upon request, have access to these records.

Section 5B(g) provides that the district courts of the United States have jurisdiction to restrain violations of this act. The courts have subpena power and failure to obey the subpena may be punishable by a charge of contempt of court.

Section 5B(h) provides that each vio-

lation of these standards shall be punishable by a fine of not more than $10,000 nor less than $5,000. This means that each time refuse is dumped in violation of the standards, the violator is liable for this fine. In many cases, several dumpings or discharges occur per day and each instance is a violation punishable by the fine.

Section 5B(i) terminates any existing authorizations for dumping issued by the United States under any other provision of law as of the enactment of this bill into law.

Mr. Speaker, if we continue this dumping into our coastal waters, not only will we seriously endanger our own lives, but we will have to spend billions more to clean up the mess. We may even go beyond the point of being able to correct our mistakes. Since, as Dr. Blumer has stated, we cannot know the effects of some of the material we are dumping into our coastal waters, it is time we reassessed our values. We should be cautious in our actions. We must have standards. We must enforce those standards. And we must make private industry as well as the Federal and State Governments responsible for maintaining the quality of our environment.

Mr. Speaker, we have all heard the outcries about the dangers of ocean dumping. My bill is one approach to the problem—an approach that would have an immediate nationwide effect. I hope that swift action will be taken on the legislation to establish standards now to limit the dumping of hazardous materials into our coastal waters. The need is clear and time is running out.

Following, Mr. Speaker, are the cosponsors of this bill: Mr. ADDABBO, Mr. ASHLEY, Mr. BADILLO, Mr. BEGICH, Mr. BINGHAM, Mr. BLACKBURN, Mr. BOLAND, Mr. BRASCO, Mr. BROOMFIELD, Mr. BURKE of Massachusetts, Mr. CARTER, Mrs. CHISHOLM, Mr. COLLIER, Mr. CONTE, Mr. COUGHLIN, Mr. DERWINSKI, Mr. EDWARDS of California, Mr. EDWARDS of Louisiana, Mr. FRASER, Mr. FULTON of Pennsylvania, Mr. FUQUA, Mr. GIAIMO, Mr. GIBBONS, Mr. HALPERN, Mr. HANSEN of Idaho, Mr. HATHAWAY, Mr. HAYS, Mr. HELSTOSKI, Mr. KEITH, Mr. KOCH, Mr. KYROS, Mr. LEGGETT, Mr. LENT, Mr. MANN, Mr. MCKINNEY, Mr. MAZZOLI, Mrs. MINK, Mr. MITCHELL, Mr. MORSE, Mr. MOSS, Mr. NEDZI, Mr. OBEY, Mr. O'NEILL of Massachusetts, Mr. PEPPER, Mr. PUCINSKI, Mr. REES, Mr. REID of New York, Mr. RHODES, Mr. ROSENTHAL, Mr. RYAN, Mr. SCHEUER, Mr. SYMINGTON, Mr. TIERNAN, Mr. WALDIE, Mr. CHARLES WILSON, Mr. WOLFF, and Mr. WRIGHT.

HOME BUILDER ASSOCIATION HOISTED ON OWN PETARD

(Mr. DINGELL asked and was given permission to extend his remarks at this point in the RECORD, and to include extraneous matter.)

Mr. DINGELL. Mr. Speaker, Congress still faces a serious responsibility in straightening out and cleaning up the practices whereby voluntary industrial standards are developed in our economic society. Within the genus "voluntary industrial standards" are included building, electrical, plumbing, and similar codes, and also certifications and product approvals of building materials and building methods by nongovernmental bodies. The matter is of concern to the Congress because these actions are truly governmental in nature. They find their way without amendment into public laws and regulations. They involve the public health and safety, consumer protection, and environmental protection, not to mention billions of dollars worth of economic activity in industries affecting interstate and foreign commerce.

The Small Business Subcommittee, of which I am chairman, has had these matters under study during the past two Congresses, and frankly, I have been appalled at certain lobbying practices that go on within the private standards-making and code-writing organizations. It was, therefore, most refreshing to read, in an Associated Press story published earlier this year, a frank and forthright criticism of these activities by an official in the National Bureau of Standards, U.S. Department of Commerce. The story appeared, for example, in the real estate section of the Washington Evening Star for March 20, 1970. I include the relevant portion of that article at this point in the RECORD:

HOUSING PINCH: REDTAPE BOOSTS PRICES OF HOMES

(By Dick Barnes)

PRODUCT APPROVAL

A critic of this product approval system is Gene A. Howland of the U.S. Bureau of Standards, who as executive director of the National Conference of States on Building Codes and Standards has spearheaded an effort for states to reassume control over building codes.

Rowland mentioned the fees charged by each code group for approvals, and said: "The gypsum association, for example, pays thousands of dollars for approvals each year. And manufacturers have to go to each city to see how they're doing. All this costs money—but it shouldn't cost money to get approved in a government process. The costs ultimately go to the consumer."

He contended, too, that "to get approvals, you must be a friend to the building inspector. You show up at his meetings or you provide him an airplane ride to meetings, or your association has big hospitality suites at code meetings."

Milton W. Smithman, an assistant staff vice president of the National Association of Home Builders, also said manufacturers of housing and industry supplies are very active in code lobbying. "The materials groups have staff people all over the country in constant contact with building officials," he said.

One does not necessarily have to agree with Mr. Rowland's main thesis—that States should reassume control over building codes—to note that he has accurately described in great part what goes on behind the scenes in the private code bodies.

Shortly after appearance of the story, Mr. Rowland was attacked in the March 27, 1970, issue of Building Code Action, a newsletter of the Associated Home Builders of the Greater Eastbay, Inc., Berkeley, Calif. The news note, attributed to a certain Thomas I. Murphy, project director, reads as follows:

MODEL CODES DEFENDED

In one of a five-part series of Associated Press articles dealing with the high cost of housing, etc., appeared this quote, attributed to Gene A. Rowland, Chief, Codes and Standards Section of the National Bureau of Standards: ". . . to get approvals you must be a friend to the building inspector. You show up at his meetings or you provide him an airplane ride to meetings or your association has a big hospitality suite at code meetings."

The Associated Home Builders of the Greater Eastbay fired back a blistering rebuttal suggesting that Mr. Rowland was obviously unaware of the various committee actions that were necessary in new product and method approval. It was also pointed out that irresponsible statements of this nature cause much damage in that they confuse the public as to the real issues.

I do not know what Murphy may have had in mind when he accused Rowland of confusing the public as to the "real issues." Rowland spoke of cost to the consumer, and I would regard consumer protection in all its aspects to be a very real and very major issue.

Perhaps Murphy can explain what he understands by the "real issue" in more recent events. At this point, Mr. Speaker, I would like to have included in the text of my remarks a news item which appeared in the October 2, 1970, issue of the Hayward, Calif., Daily Review:

PLASTIC PIPE INSPECTION: HOMEBUILDERS UNIT PROVIDES TOUR

HAYWARD.—Three city councilmen accepted an invitation from the Associated Homebuilders of the Greater East Bay and Hew to Los Angeles today for a guided tour of apartment construction and plastic pipe manufacturing.

Four city councilmen, including Mayor Leo Howell, declined the invitation.

A city building code advisory committee turned thumbs down on the use of plastic pipe in new residential construction in Hayward two months ago, after hearing renewed arguments from the Plastic Pipe Institute that it be sanctioned. The Associated Homebuilders has appealed the committee's decision, sending the matter to the city council for final resolution.

Councilman George Oakes, who extended invitations to the full council on behalf of the association to join the tour, said the group would be shown a large plastic pipe manufacturing plant in the Los Angeles area today and new multi-family construction in the Hollywood area tomorrow. Officials of other cities were not invited, according to Oakes who was accompanied by Councilmen Tom Neveau and Charlie Santana.

Oakes was asked of he felt the trip might produce criticism, in view of the pending hearing on plastic pipe before the city council.

"I certainly would expect no criticism," he replied, "You've got to acquaint yourself with all the sources of information, with all the facts."

One of the East Bay's major homebuilders, Oakes supports the use of plastic pipe in residential construction and considers city policy against its use unrealistic.

The tour of new apartment construction, Oakes said, should give councilmen a look at the latest techniques and methods of construction. He said councilmen should be able to apply what they see when they review new construction in Hayward, particularly in the Hayward hills.

"We are looking for new products, new concepts, new designs, and new layouts," he explained.

Oakes said a representative of the Associated Homebuilders would accompany the group. The tab for the trip, he said, will be paid by the association.

A subsequent story, on October 12, related that the mayor made the trip, so

that four out of seven members of the Hayward City Council had been flown from that city to Los Angeles for a look at a plastic pipe manufacturing facility.

Mr. Speaker, the "real issue" appears to be that approval of plastic pipe for drain-waste-vent systems was, and is, pending before the Hayward City Council. And who sponsored the flight? Some plastic pipe manufacturer or trade association? Wrong. According to the news articles, the tab was picked up by the Associated Home Builders of the Greater Eastbay, Inc. This is the sort of thing Rowland was talking about. The Eastbay Home Builders Association has hoisted itself on its own petard.

Mr. Speaker, this is not the first time that this sort of thing has occurred. During the course of my Small Business Subcommittee's hearings, there was much controversy over some free airplane tickets to Hawaii accepted by voting delegates involed in certain product approvals. It is not my intention to take any position—for or against—in any specific fight between competing materials. I do feel, however, that until and unless performance standards are adopted by the FHA and by industry that the sort of conduct present here will continue to erode public confidence in the integrity in the entire standards system—particularly within the field of building codes.

I am amazed by the zeal in this instance of a homebuilders association to promote, not the building of homes or the sale of homes, but a product approval for plastic pipe. This instance does not stand in isolation. It is typical of plastic pipe and other product approval fights all over the country where time and again the campaign is spearheaded by the local homebuilders' association. I do not wish to prejudice the case for or against the approval of this material in Hayward or in any other code jurisdiction. My only observation is that the number one argument in favor of approval is said to be cost saving to the consumer. But what consumer? The home buyer? Lobbying campaigns cost money. Four round trip tickets by air from Hayward to Los Angeles cost money. Have homebuilder organizations mounted such an intense campaign for this product approval so that they can pass a material cost saving on to the home buyer? At least in the case of speculative homebuilders, who are the volume homebuilders, I think the answer is more likely a loud "No."

LOWER VOTING AGE IN STATE AND LOCAL ELECTIONS TO 18

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

Mr. KASTENMEIER. Mr. Speaker, although the Supreme Court has made clear that the reduction of the voting age 18 in State and local elections will have to be accomplished by constitutional amendment, its decision of December 21, 1970, upholding the right to vote by 18-year-olds in all Federal elections gives us strong incentive to act immediately to eliminate the present confusion over varying age requirements between local, State, and Federal election laws. Thus, today, I am introducing a proposed constitutional amendment to provide for the franchise for 18-year-old citizens in State and local elections.

I have long advocated that 18-year-olds be allowed to vote. Young people, today, are better informed than ever before and are more interested and concerned with public issues. At a time when much of our young people's frustration can be traced to a feeling of futility in influencing decisions, which affect them directly, made by Federal, State, and local governments, I feel it is imperative that we extend the franchise to enable our 18-, 19-, and 20-year-old citizens to vote in all elections.

Mr. Speaker, by allowing these young citizens the right to vote in election contests at all levels of government, we will be providing a powerful inducement for greater political involvement and hope for reform, thus restoring the faith of young people in the American political system.

DIRECT, POPULAR ELECTION OF THE PRESIDENT

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

Mr. KASTENMEIER. Mr. Speaker, on September 18, 1969, the House, by a vote of 339 to 70, passed a proposed constitutional amendment providing for the direct election of the President and Vice President. The overwhelming approval given to this essential reform of our electoral process was due in large part to the initiative and able leadership of our distinguished chairman of the Judiciary Committee, the gentleman from New York (Mr. CELLER). Unfortunately, the Senate failed to take any action on this proposed amendment during the 91st Congress.

However, the need for this significant change in the manner by which we elect our President still exists. The electoral college is outdated. It was devised for a 19-century union of divisive, competing States. The factors of voting franchise and population which also contributed to its adoption have long since disappeared from our society. The electoral college also is undemocratic in that it allows that the popular will of the people can be thwarted under this system by the distinct possibility of a popular vote loser entering the White House.

Mr. Speaker, the most realistic and most democratic manner of electing the President and Vice President, and also enhancing participatory democracy, is through the direct, popular vote. The direct, popular vote puts the choice of the President squarely where it ought to be, directly in the hands of the people. Today, I am introducing a proposed constitutional amendment calling for the direct election of the President and Vice President, and I am confident that we can again move this proposed amendment successfully through the House, and I am optimistic that the Senate will also concur.

INTERIOR'S DECISION ON "TAPS" REFLECTS INFLUENCE OF "BIG OIL"—ALASKA IN PERIL

(Mr. SAYLOR asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SAYLOR. Mr. Speaker, I am sure you remember one of the first big issues to face the 91st Congress—the oil spill off the Santa Barbara, Calif., coast. Here we go again. To start the 92d Congress, the Interior Department has virtually assured Members that we face major oil spills in the State of Alaska as a result of their recommendation to construct the trans-Alaskan oil pipeline.

On January 13, the Interior Department issued its tentative report on the subject of building the 800-mile pipeline across the frozen wilderness of our 49th State. The report, taking note of those of us concerned with environment, ecology, natural resources, conservation, and so forth, spells out the potential damaging ecological consequences when the pipeline is built. In spite of this, the Department recommends full speed ahead with approval of a project to benefit the fattest, most arrogant segment of the American industrial complex—the oil industry.

Not satisfied with bloated profits partially derived at the expense of the public through the oil depletion allowance; not satisfied to choke the air we breathe with automobile products; and not satisfied with their inordinate amount of protection from foreign competition, the barons of oil are now seeking another profit bonanza at the expense of the public.

The oil barons have—who knows how—convinced the bureaucrats in the White House and in the Department of the Interior that, by despoiling, polluting, and wrecking the wilderness which is Alaska, the national security will be preserved.

It is inconceivable for me to understand how a public agency, chartered to guard the public weal, can, in one breath admit the disastrous effects of a potential decision and in the next breath, recommend an action to implement just such a decision. If you cut away the window-dressing langauge of the report, you discover that the bureaucrats who have sworn to protect the public have encouraged a policy to gouge the public. The blatant audacity of the recommendation is stupendous.

It is a measure of the influence of the

oil industry in the decisionmaking councils of the Federal Government. On this point, I recommend your attention to an article which appeared in the January 17 Washington Post entitled "The Oilmen and Politics" by Murray Seeger of the Los Angeles Times. The Department's recommendation is also a measure of the ineffectiveness—to date—of the public to gain control over the unholy alliance between the industry and the Federal Government's decisionmakers.

If there is any doubt about the effect of the pipeline on the fragile ecology of Alaska, I strongly recommend each Member's close attention to the full report. The Interior Department openly admits various degrees of environmental degradation should be expected from the project; it is little comfort to know the Department has spelled out its potential mistakes before committing them.

The potential for making environmental mistakes with a project as big as TAPS is unestimable. Caution would seem to be the watchword of the officials charged with protecting the interests of the public.

It is the watchword for our Canadian neighbors.

Reporting on a similar, but not as extensive, environmental problem in Canada, the Evening Star of January 13 ran an article side-by-side with the one on the departmental report on Alaska. The juxtaposition of the story is poetic justice if nothing else. A UPI story out of Ottawa reports that the Canadian Government banned all oil and gas exploration in the Strait of Georgia off the British Columbia mainland to prevent any possible pollution. The Canadian Government appears—in this instance—to be working in the interests of saving its environment while the highest councils of our Government are recommending a crash program of environmental destruction.

The reaction to the Interior Department's recommendation has not been fierce—yet. Contemplating that some of the conservation nuts—as I have been labeled on occasion—would object to the Department's report, a fancy and expensive public relations advertising campaign has been started by the oil companies.

You probably saw the results of the oil industry's first move. On January 18, a full-page advertisement appeared in major papers from the Alyeska Pipeline Service Co. The thrust of that advertisement is designed to lay to rest the environmental concern with projected pipeline construction. Compare the following statement from the ad with the Interior Department's report:

> What we have learned about the Arctic leads us to believe that there is nothing inherently dangerous to the environment providing the line is designed, built and operated in a manner that is considerate of and responsible to the environment. In truth, what's good for the environment is also very good for the safety and security of the pipeline. On this you have our pledge: The environmental disturbances will be avoided where possible, held to a minimum where unavoidable and restored to the fullest practicable extent.

The company did not promise to protect the environment, rather, it promises to repair it. It takes an unprecedented—even for the oil industry—amount of gall to make such a statement and expect the public to swallow it without question. To argue with every point in the advertisement would take too long, but I will mention just one issue: the advertisement talks about "avoiding" environmental disturbances. Based on my trips to Alaska and having flown over and driven along the Alaskan construction sites, I can assure you that the oil companies do not practice what they preach. Oil exploration and development creates an environmental disaster area. But again, all of this is admitted in the departmental report and yet the go signal is given.

But Alaska is a long way from your morning newspaper. One must assume the Alyeska Pipeline Service Co. figured that one picture of a heard of caribou is worth a thousand words describing the crimes that have been committed against nature by the oil companies in Alaska. I agree that the public relations impact of the ad may be just that; however, I sincerely hope that our colleagues in the House will not be lulled into thinking that that picture is an honest description of the environmental facts of life.

In a traditionally understated editorial, the Christian Science Monitor of January 18 questions the appropriateness of the Interior Department's recommendations. The editorial states in conclusion:

> Perhaps the Alaska pipeline decision will be made intuitively by Americans, for arguable immediate reasons. If so, the likely eventual judgment on building the pipeline would be that it was wrong. For the progressive line of thought in the country is toward less, not greater impairment of nature for industrial advantage.

Those words echo the sentiments expressed not long ago by the former Secretary of the Interior, Walter Hickel, himself an Alaskan. I thought these comments from our former Secretary would be appropriate to close this speech on the future of Alaska as threatened by the trans-Alaskan pipeline project:

> The Secretary-General (of the UN) then underscored a point I have often made: Concerted preventive action now is far less costly than to repair the damage after it has occurred. Having failed to apply the ounce of prevention in past years, we're now faced with applying pounds of cure. . . .
>
> We must follow new principles in living and working together as a Nation:
>
> The right to produce is not the right to pollute.
>
> We must not inject new things into our surroundings until we have studied fully their possible impact.

Mr. Speaker, I fully intended to end my remarks with those stirring words of Walter Hickel but lo and behold, just 2 days ago, the President stepped into another great conservation/environment battle and provided me with an even better statement on protecting our environment. In blocking further construction of the Cross-Florida Canal, an action with which I wholeheartedly agree, the President said:

> The project could endanger the unique wildlife of the area and destroy this region of unusual and unique natural beauty.

He could have been talking about Alaska. He then continued:

> The step I have taken today will prevent a past mistake from causing permanent damage. But more important, we must assure that in the future we take not only full but also timely account of the environmental impact of such projects, so that instead of merely halting the damage, we prevent it.

I cannot commend the President enough for this beautiful statement. It succinctly captures the essence of the problem with respect to the trans-Alaskan oil pipeline. I fervently hope the conservationists of the country use it as a rallying cry against the Interior Department's go ahead construction recommendation. I hope the President follows through with a similar statement blocking the oil barons' campaign to profit at the public's expense in Alaska. And I trust the Federal bureaucracy takes heed of the President's line of reasoning regarding the preventive protection of our Nation's environment.

I can think of no better way to end this speech than to repeat, what I hope will become, one of the President's most famous sentences:

> But more important, we must assure that in the future we take not only full but also timely account of the environmental impact of such projects, so that instead of merely halting the damage, we prevent it.

HORTON BILL HONORS FRANCIS BELLAMY

(Mr. HORTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, I feel it appropriate on this first day of the 92d Congress to introduce a bill giving proper recognition to the man who wrote the words with which we honor our flag.

Francis Bellamy, who was a graduate of the University of Rochester in 1876 and the Rochester Theological Seminary in 1879, served as chairman for a national school committee for the first observance of Columbus Day in 1892.

The pledge to our flag was first used in that ceremony. And it is fitting and proper for us to give the same honor to Francis Bellamy as we do to the other heroes of our national heritage.

Mr. Speaker, I would also like to share with the Members of this House a column I distributed to the news media in my district:

ALLEGIANCE PLEDGE: A STATEMENT OF NATIONAL GOALS

"I pledge Allegiance to the Flag . . ." (Francis Bellamy, Columbus Day 1892.)

These words were first used in public schools throughout the country on Columbus Day 1892 to mark the 400th anniversary of the founding of the New World.

Since then the words have been melded into our national heritage and stand with our flag as a symbol of this country.

Francis Bellamy was a native of Mount Morris, New York. He was graduated from the University of Rochester in 1876 and the Rochester Theological Seminary in 1879.

In 1892 he served as chairman of a committee for a national school program for the first observance of Columbus Day in this country. The pledge to the flag was used as a part of that celebration.

This week I introduced legislation to give proper recognition to Francis Bellamy and permanently establish his role as one of our national figures.

His words are recited daily in our nation's school. They serve to build respect for the flag and all it symbolizes for all Americans.

The story of the American flag is the story of this nation. When the Stars and Stripes were first adopted on June 14, 1777, it was one of the country's darkest days.

Within 96 days the members of the Continental Congress were fugitives. The Capitol in Philadelphia had been invaded and occupied by British troops and the fate of the nation weighed in the balance.

George Washington gave a vivid description of the new flag when it was first flown by the Continental Army.

"We take the stars from heaven, the red from our mother country, separating it by white stripes, thus showing that we have separated from her, and the white stripes shall go down to posterity representing liberty," Washington said.

Our flag was born in the heat of battle and given its baptism under fire. It survived as has the nation.

Over the years the United States had grown into the greatest civilization known to man. It has filled its natural boundaries and assumed the leadership of the free world.

Patriotism is a thing to be nourished and cherished. However, there is a difference between the true patriot and the fanatic.

It is the true patriot who can see the real meaning of Francis Bellamy's pledge to the ideals of ". . . One nation under God, indivisible, with liberty and justice for all."

He sees the real meaning of these national goals and undertakes to accomplish them through constructive criticism and suggestions for national betterment.

HORTON SAYS THE BILL WOULD CHANGE FISCAL YEAR TO CALENDAR YEAR

(Mr. HORTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, I am introducing today a bill which will greatly improve the functioning of Congress as well as the entire Federal Government. This bill would establish the calendar year as the fiscal year of the U.S. Government.

As it now stands, Congress receives the President's budget late in January and is expected to take final legislative action by the beginning of the fiscal year, less than 6 months later, on July 1. This deadline is almost never met, since deliberation on the details of a $200-billion-plus budget invariably requires longer than 6 months.

In recent years, final approval of these measures has been reached later and later. Under my proposal, Congress would have the balance of the year to complete discussion and action on vital appropriation matters since the new fiscal year would not begin until the following January 1.

By giving appropriations approval prior to January 1, Congress would be assisting the fiscal planning of State legislatures and local governments, as well as improve the functioning of Federal agencies.

Mr. Speaker, I would like to share with my distinguished colleagues a column I wrote for the news media in October of last year, which discusses this problem in further detail:

CONGRESS MUST REVISE PROCEDURES TO FIGHT INFLATION AND PREVENT WASTE

(By Congressman FRANK HORTON)

The people of America have a right to expect Congress to watch over the purse-strings of government, to set Federal spending priorities and to achieve balance in the budget without waste. Of all branches of government, Congress is closest to the people and it should be equipped to respond to demands for more efficient use of tax dollars and an end to inflation.

At the present time, more and more of the responsibility for government fiscal policy has fallen into the hands of the Executive Branch by default. The procedures Congress follows to make spending and budgeting decisions are far too disorganized and "stop-gap" to enable it to effectively plan and carry out a business-like plan for the government's $200 billion a year budget.

As years have passed and Congress has failed to update its appropriations procedures, more and more of the task of setting budgets straight and of setting spending priorities has shifted to the Budget Bureau, or what is now called the Office of Management and Budgeting. This is not where the responsibility belongs. Congress must adopt tax laws, set spending priorities and adopt appropriating legislation for every function of government.

Where has Congress failed in its fiscal responsibility and what steps can be taken to place these powers back into the hands of responsible representatives of the people?

First of all, Congress has failed to recognize that national problems have grown so diverse and the Federal budget has grown so large that it is impossible for Congress to complete action on appropriations for the coming fiscal year between the months of February and June. Each year, the President submits his budget to Congress near the end of January—the budget which will go into effect in the fiscal year beginning July 1st of the same year. This means that Congress must sift through each spending item in hearings and prepare and pass through both the House and Senate about 14 massive appropriations bills—all before the 30th of June. If Congress could accomplish this, then all Federal agencies and states and localities would know exactly how much is to be spent for each Federal function and program at the start of the fiscal year. This would permit a planned and well-organized implementation of the budget.

However, it has been many years since Congress has completed its appropriations work by the June 30 deadline. Unlike the earlier days of smaller budgets and six or seven month sessions of Congress, we now find ourselves considering legislation ten, eleven or twelve months a year. Frequently, less than half of the appropriations are acted upon before the beginning of the fiscal year—leaving Federal agencies and the taxpayer with stop-gap "continuing resolution" which enable programs to operate at the same level of the past year, until final action is taken on the spending legislation.

Recognizing that this yearly appropriations lag made it impossible for Federal, state and local government to plan efficiently any of their programs which involve Federal funds, I proposed a change in the Federal fiscal year to the calendar year. Beginning the fiscal year on January 1st instead of July 1st would give Congress and the Executive more time for budget planning and for reviewing appropriations and spending priorities.

Spending bills enacted between the President's budget message in January and the adjournment of Congress in the fall would not take effect until the first of the following year. There would be no need for stop-gap resolutions now needed to keep agencies' programs and payrolls going on a month-to-month basis.

I first made this proposal in the 90th Congress—over three years ago. And each year since the performance of Congress in completing action on appropriations has been slower, less organized, and less suitable to the task of accomplishing efficiency without inflation.

While a change in the Federal fiscal year would give Congress the time it needs to make the fiscal decisions required in the 1970's it is not the only reform that is needed. What is even more essential is a new procedure which will force Congress to make fiscal responsibility and budget balancing a priority, along with the priorities we set for spending on particular programs.

Present appropriations procedures place fiscal responsibility last on the priority list. In acting on individual spending bills, each house of Congress makes separate decisions as to whether more or less money should be allocated for each program than was budgeted by the Administration. Through this procedure, we may add funds to a housing bill or subtract funds for a defense project or leave both as they were when approved in Committee or by the Executive.

But there is no mechanism which forces Congress to look at the entire budget picture at once, to determine if its spending priority decisions can be accommodated within a balanced budget.

With the time pressure currently placed on Congress by the July fiscal year, the time is never taken to look back over all of the spending decisions on individual programs to see if they are in line with the year's expected tax receipts, or even to see if they are in line with the spending ceilings Congress itself adopted earlier in the budgeting process.

The result has been that Congress is rapidly losing its power over spending priorities—because it has not exercised them in an organized or businesslike way. Congress places higher priority on one or more important areas too often without regard for the overall spending result.

My personal practice has been to balance "yes votes" for additional funds for high priority programs with "no votes" for spending on low priority items—thus seeking a balanced budget. But the actions of Congress as a whole often do not reach a balanced result. More funds are added than subtracted from the Administration budget.

This leaves the Administration with the job of holding up spending on programs which it determines should be cut back or it results in residential vetoes which place the President's priorities in opposition to those of Congress.

Again, this is an example of where Congress, by failing to adopt better fiscal procedures, has ceded powers to the Executive by default—in this case, the powers over spending priorities.

I have prepared a proposal which would help to put both the budget and the powers of Congress back into balance. The proposal is a simple one, and it will be adopted if Congress is serious about retaining some say over how citizens' tax dollars are spent.

After all appropriations bills for the next fiscal year are passed and acted on in conference committees, both Houses of Congress should measure the total amount appropriated against the total budget ceiling agreed upon by the House and Senate. Where the appropriations exceed the budget ceiling by a certain percentage—say two per cent—then amendments to the individual spending bills should be prepared and enacted, re-

ducing the total appropriation for each program by two per cent—the same percentage. This is the only way the budget ceiling can have any meaning—if Congress stays within it during the appropriation process. This is the only way that Congress can retain power over spending priorities, without having to remove funds, through veto or budget hold-backs, from program areas which Congress feels are of very high priority.

To me the choice is clear. Either we adopt these reforms in the next Congress, and thus enable our system to function effectively under the Constitution, with Congress controlling the purse strings. Or, without such reforms, we will continue an era of budget waste, inflation and stop-gap measures, with Congress fumbling its fiscal powers away—along with the tax dollars of our citizens.

HORTON SEEKS AMENDMENT FOR WOMEN'S RIGHTS

(Mr. HORTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, I am introducing today a bill which will correct a problem that has been ignored for many years; namely, achieving full legal opportunity for women. The discrimination which presently exists in many parts of our economy—in responsibility, in salary, in esteem—cannot be justified by any reasonable standard. My bill would eliminate such violations of women's rights and make accessible to the ladies the opportunities and responsibilities they deserve.

Mr. Speaker, I would like to share with my colleagues an article I prepared for the news media in July 1970, which I feel further explains the needs for this legislation.

While portions of this article pertain to actions of the 91st Congress, I feel they are still valid in view of the Senate's failure to follow our lead in adopting this important legislation last year.

The article follows:

WOMEN ASK FREEDOM TO DEVELOP THEIR OWN POTENTIAL: HORTON SAYS EQUAL RIGHTS AMENDMENT WOULD AFFORD WOMEN FULL EQUAL OPPORTUNITY

"You've come a long way, baby," says a popular commercial referring to the status of women. Fifty years ago, women were not able to vote, most of the jobs they held were in sweat shops, and they had no legal rights.

Today, a lot has changed. However, the achievements of equal rights for women in all fields is still far from complete. There is undoubtedly discrimination against women in our enlightened age—50 years after Susan B. Anthony of Rochester led the fight for women's suffrage.

Women must be allowed to develop their individual potential. To help protect this right, I have joined with 245 other sponsors of the Equal Rights Amendment, H.J. Res. 264, which would guarantee men and women equal rights under the Constitution of the United States.

This amendment would eliminate impediments to women's rights and afford women the opportunity to share equally with men the responsibilities of our modern society.

Unfortunately, this amendment has been pending before the Judiciary Committee for 47 years since 1923. It is certainly time for action. Several weeks ago, I signed a petition to discharge the House Judiciary Committee from further consideration of this amendment and bring it to the floor of the House for consideration.

I have been working for women's rights in several areas. In the near future, I will introduce a measure to end discrimination against female veterans. My bill would allow a woman veteran who is taking advantage of the G.I. Bill to claim her husband as a dependent, just as a male veteran is able to claim his wife as a dependent in computing education benefits.

The need for this bill is illustrated by a constituent who is now attending Monroe Community College under the G.I. Bill. She served two years in the WAVES and receives less G.I. benefits than a married male veteran. After service to her country, she certainly deserves the same consideration.

At the 50th Anniversary Conference of the Women's Bureau in June, Mrs. Elizabeth Duncan Koontz, Director of the Women's Bureau of the Department of Labor, emphasized the desirability of enabling women to develop their potential.

"If anyone were to ask me now in what direction I think American women should move." Mrs. Koontz said, "I would answer that their goal should be toward the fullest development of their own potential as individuals and toward full participation in American life."

Motherhood and childbearing are tremendously important roles for women, but as Mrs. Koontz said, "It is ridiculous to conclude that this is the only role they should ever have in life, and that the first part of their lives must be spent in preparation for it and the last part in recollection of it."

In our own area, Mrs. Marcia Ellington, wife of Dr. Mark Ellington, president emeritus of R.I.T., organized and initiated "Woman Power" which has taken several steps toward ending discrimination and emphasizing the vital and necessary role of women in society. "Women Power" has spoken out on many controversial national issues where women previously had not voiced concern.

My predecessor, Congresswoman Jessica Weis of Rochester, took full advantage of the opportunities open to her to become a national leader. On July 8th, Judy Weis Day, the "Susan B's" of Rochester honored her memory by pointing out the tremendous influence of such a woman on society. A leader in the effort to honor Mrs. Weis was New York State Regent Helen Power, and other area women, who along with the late Representative Weis, Rochester School Board President Dorothy Philips, and former State Assemblywoman, Mildred Taylor of Wayne County, have achieved positions of public leadership.

In her May 7 testimony before the Subcommittee on Constitutional Amendments of the Senate Judiciary Committee, Virginia R. Allan, Chairman of the President's Task Force on Women's Rights and Responsibilities, said ratification of the Equal Rights Amendment would have a widespread effect on education.

She told of women students in colleges being counseled not to pursue graduate study, having stiffer entrance requirements, the difference in job expectations and salaries, and women's position in universities and colleges.

"Where are women college presidents?" she asked. "If it were not for the Catholic women's colleges we could number them on one hand."

Mrs. Jacqueline G. Gutwillig, Chairman of the Citizens' Advisory Council on the Status of Women, also testified in favor of the Equal Rights Amendment. She said young women volunteering for military service must have high school diplomas and must achieve higher scores on the education tests than the regular scores for men who are drafted.

She also cited inequities in some states where women criminals serve longer prison sentences than men for the same crime.

Mrs. Gutwillig emphasized that knowledge on the part of men would eradicate some inequities.

Men generally are not anti-women and may not consciously discriminate," she said, "but also may not be mindful of the effects on women of outmoded attitudes and pressures. The biggest obstacle to improvement in the status of women is lack of knowledge."

While I am working for the elimination of discrimination against women, in reality, I am working for the end of all discrimination.

The opposite of prejudice is openness and opportunity. When people take a fresh look and abolish their preconceived and stereotyped ideas of one group, they will be able to apply this perception to other groups.

HORTON BILL REMOVES PENALTIES FOR SPORTS CHAMPIONS

(Mr. HORTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, this year when the winners of the Nobel Prizes are announced, these cash awards and other prizes for high achievement in science, art, music, literature, and civic affairs will be excludable from gross income under section 74(b) of the Internal Revenue Code.

However, in a Nation which places great importance on physical fitness, teamwork, and sportsmanlike competition, awards for athletic achievement are taxed as ordinary income. This is true even when the award, unlike the cash Nobel Prize, has no utilitarian value.

Today, I am proposing a measure to add sports to the categories of awards excludable under section 74(b) of the Internal Revenue Code. This will include athletic awards given for overall sports achievement, not the cash awards and trophies given for victory in a particular contest or series of contests.

This inequity in our Internal Revenue Code was brought to my attention by a tax court decision on the suit brought by Mr. Maurice Wills against the Commissioner of Internal Revenue after a deficiency claim had been asserted against him for the 1963 tax year.

This claim was asserted, Mr. Speaker, because Mr. Wills did not include in his taxable income several awards which he had been given as a result of outstanding performance as a baseball player with the Los Angeles Dodgers in 1963.

Among these awards was the S. Rae Hickok belt, a jewel-studded belt which is presented each year to the national outstanding professional athlete.

This coveted award is given in recognition of overall excellence in athletic performance and achievement. Its value is primarily symbolic, recognizing the recipient as a champion among champions. Although the Hickok belt cost $10,000 to manufacture, it provides no direct financial gain to the recipient.

Nevertheless, the tax court ruled that the recipient of the S. Rae Hickok belt was liable for tax on the value of the components of the belt.

The effect of this decision, Mr. Speaker, created a serious uncertainty about the taxability of all other amateur and professional sports awards.

Even though the tax court decision correctly interpreted the law as it is pres-

ently written, I do not feel that our tax laws ever intended that athletic achievement is to be discriminated from achievement in other fields or that it was to penalize champion athletes through tax liability for nonutilitarian awards.

When the purpose of the trophy is honorary and decorative, the payment of a tax on its component value imposes a serious financial burden upon its recipient.

The bill I am introducing today would amend section 74(b) of the Internal Revenue Code to include within its coverage certain awards and prizes received by athletes.

Section 74(b) already excludes from gross income the value of certain prizes and awards granted in recognition of achievements in the fields of art, music, literature, religion, charity, science, and civic achievement.

In addition, section 74(b) of the Internal Revenue Code requires that the recipient must not be required to render substantial future service as a condition precedent to receiving the award, or have entered into competition for the award.

Mr. Speaker, my bill would extend this category to include sports awards with the same limitations and conditions. When an American athlete has lived up to the finest traditions of American sports and sportsmanship and excelled in his particular sport, he is an inspiration to millions of young, aspiring athletes.

On February 1, the Hickok Manufacturing Co., in Rochester, N.Y., is awarding this year's S. Rae Hickok Belt. To require the winning athlete whoever he will be, to pay for the privilege of retaining his trophy is, in effect, discrimination in our tax laws.

I feel this first day of the 92d Congress is a particularly fitting occasion to ask my colleagues to join with me in support of this bill to extend to our outstanding athletes the same privileges, honors, and tax benefits, that we extend to those who achieve national recognition in the arts and sciences.

HORTON CALLS FOR BLOCK-GRANT AID TO EDUCATION, AS PART OF ACTION ON REVENUE SHARING

(Mr. HORTON asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. HORTON. Mr. Speaker, there has been much talk about reordering our national priorities, but little progress has been made in that direction. There has also been a great deal of publicity about revenue sharing in recent years, but, again, real progress in this direction has not been forthcoming.

On this opening day of the 92d Congress, I am introducing a bill, the Federal-State Education Act of 1971, which serves both purposes.

This legislation serves to assist and strengthen educational programs at all levels, providing school systems funds to improve both the quality and the diversity of their educational programs.

My bill provides for bloc grants to the States, increasing each year to 1975. These grants would be distributed based on a formula, which was drafted by the State Education Department in Albany, and which takes into account population and each State's level of educational effort prior to the grant program. The States would be free to spend this money for any educational purpose, except that they are required by law to spend a minimum percentage, 20 percent, on programs for the disadvantaged youngster.

The national cost of education is almost 25 times today what it was 40 years ago. The need is imperative and Congress must acknowledge its responsibility in this vital area. I urge my colleagues to support this legislation, so that we might truly begin to serve our domestic needs.

MINORITY STAFFING

(Mr. CLEVELAND asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. CLEVELAND. Mr. Speaker, the act of the Democratic caucus binding Democratic Representatives to vote for repeal of the minority staffing provision which we enacted into law last fall is a shocking breach of faith, and in disregard of elementary fairness. It is difficult for me to find the words to adequately express my feelings of outrage, disbelief, and regret at this unbelievable demonstration of raw political power at its worst.

It is certainly understandable that important and respected members of the Democratic Party disagree with the minority staffing provisions. But it is incredible to me that they should invoke a unit rule which binds all of their members to vote slavishly their wishes. Last fall the House leadership took a few limited steps to lift the shroud of secrecy surrounding House activities. Now they are back to their old tricks. They have gone into the secrecy of a smoke-filled room to reassert their power.

The times cry out for reform. Indeed, it was in answer to this loud, clear call that we enacted the Legislative Reorganization Act of 1970 by a House vote of 326 to 19. Now, even before the provisions of that admitted "one small step" have gone into effect, the power structure of the Democratic Party has begun dismantling one of the bill's more meaningful provisions. One can only wonder, what next?

It is perfectly true that the will of the majority rules in this great land of ours, as indeed it should. However, it is equally true, and it is a cornerstone of our greatness, that the rights of the minority must be jealously guarded and fearlessly protected. To strip the minority party in the House of the protections of elementary fairness and assured staffing is like taking from the defendent in a court of law his right to counsel. It is to destroy the workings of a meaningful two-party system. Without the assurances of adequate staff, the minority party is shackled in its efforts to perform an effective and constructive role in these complicated and challenging times.

Mr. Speaker, for the benefit of new Members and to refresh the memories of returning Members, I will include at the conclusion of my remarks the two days of debate devoted to the subject of minority staffing last July 15 and 16. I realize that to do this is a somewhat forlorn and pitiful gesture, because under the rules of the Democratic caucus, as they have been explained to me, all Members of the Democratic Party are bound to vote to repeal the minority staffing provisions. Debate cannot change their votes. Neither can their consciences nor senses of fairness change their votes.

One can only wonder how many members of the Democratic caucus were honest enough to inform their constituents that they would consent to cast their votes in accordance with the wish of the majority and against their better judgment, their conscience, or the desires of their constituents. If unit voting will be used to oppress the minority on this issue, what else will it be used for?

These Halls will be haunted for a long time by this almost incredible breach of democratic principles, and those of elementary fairness. I find it particularly painful that an event like this should follow so closely the deeply impressive remarks of our leaders earlier in the procedures today. Their moving statements in praise of this House are in sharp and dismal contrast to the shocking action taken by the Democratic caucus which has unfolded during the proceedings today.

The debate on this matter which I alluded to previously follows:

[From the CONGRESSIONAL RECORD, July 15, 1970]

AMENDMENT OFFERED BY MR. THOMPSON OF NEW JERSEY

Mr. THOMPSON of New Jersey. Mr. Chairman, I offer an amendment.

The Clerk read as follows:

"Amendment offered by Mr. THOMPSON of New Jersey: on page 23, line 15, strike out the words "and shall receive fair consideration in", and insert in lieu thereof the following: "if they so request not less than one-third of the funds provided for."

"And make the appropriate and necessary technical changes in the bill."

(Mr. THOMPSON of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. THOMPSON of New Jersey. Mr. Chairman, I also have an amendment to page 73 of the bill which I ask unanimous consent to be considered at this time, since the first amendment I offered relates to granting to the minority certain professional staff, and the other relates to the granting to the minority of a certain percentage of the investigative staff.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

Mr. SISK. Mr. Chairman, based upon the problems involved here inasmuch as the one amendment pertains to financing and the other has to do with staffing, I would necessarily have to object.

The CHAIRMAN. Objection is heard.

The gentleman from New Jersey is recognized for 5 minutes in support of his amendment.

Mr. THOMPSON of New Jersey. Mr. Chairman, this is a bipartisan amendment worked on principally by the gentleman from New Hampshire (Mr. CLEVELAND), myself, and some others.

Very simply, this first amendment to page 23, line 15, strikes out the words, "shall re-

ceive fair consideration in" for the minority, and inserts "if they so request not less than one-third of the funds provided for."

Now, in essence the effect is simple. The language, "shall receive fair consideration" is susceptible of a different interpretation in each and every committee because what might be considered fair in one committee might not be so considered in another committee. Therefore the minority could possibly, under the existing language which I hope to amend, be deprived of what I consider to be a very necessary right, the right to have a reasonable share of the staff.

I might point out that the Committee on Education and Labor, which in my judgment has the most forward-looking rules of any committee in the House, has so provided for the minority over a period of years. It has worked out extremely well. It is conducive to a close working relationship between the majority and the minority.

The minority is guaranteed under such provision the staff help that is necessary to prepare its work.

It has been my experience on that committee and on the subcommittees as well that this arrangement has brought about an extremely harmonious relationship between the majority and minority members. The preparation of the legislative work, the reports and the amendments and all of the work incident to the legislative process is much more efficient because of the fact of the minority having the staff and the cooperation between the minority and the majority.

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

Mr. THOMPSON of New Jersey. I yield to the gentleman.

Mr. SCHWENGEL. I am very interested in this amendment and have pursued this problem for some years as the gentleman from New Jersey knows.

The minority cannot be an effective minority unless they have the wherewithal. One of the things we have not had is adequate staffing—and we have not had adequate staffing because we have not had adequate funds.

Mr. THOMPSON of New Jersey. In other words, the gentleman from Iowa supports the amendment?

Mr. SCHWENGEL. Yes, I do. I have some questions, if I may.

Mr. THOMPSON of New Jersey. I yield to the gentleman.

Mr. SCHWENGEL. Your amendment reads, "at least one-third," is that what I understand?

Mr. THOMPSON of New Jersey. No, it reads "not less than one-third." There is a very distinct difference.

Mr. SCHWENGEL. This says "not less than one-third," and as I would interpret it, it could mean more than one-third?

Mr. THOMPSON of New Jersey. Obviously.

Mr. SCHWENGEL. That is what I wanted to have clear for the record because I had an idea about this and my bill would provide up to 40 percent, at the request of the minority. But this is a step in that direction.

Mr. THOMPSON of New Jersey. This says "not less than one-third" which is going to be an awful lot better than an attempt to enlarge it in the statutory language.

Mr. SCHWENGEL. If the gentleman will yield further, I want to commend the gentleman and I support him. I think we are making a very fine forward step here in improving the legislative process. I join him in his effort to get the amendment passed.

Now—one further question. This comes at the request of the minority, so that it does not interfere with a committee that has a completely bipartisan arrangement.

Mr. THOMPSON of New Jersey. That is quite so.

Mr. SCHWENGEL. I just want to clear those two points.

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

Mr. THOMPSON of New Jersey. I yield to the distinguished gentleman from New York (Mr. CELLER).

But first, Mr. Chairman, I ask unanimous consent that I may proceed for 3 additional minutes.

The CHAIRMAN. Is there objection to the request of the gentleman from New Jersey?

There was no objection.

The CHAIRMAN. The gentleman from New Jersey is recognized for 3 additional minutes.

Mr. CELLER. Suppose we have a House—and I am not going to mention parties—but suppose we have a House where one party has let us say 300 Members and there are 135 Members of the other party. Would the proportion be the same—one-third to the minority and two-thirds to the majority despite that disproportion of the numbers?

Mr. THOMPSON of New Jersey. Yes.

Mr. CELLER. Why would that be so?

Mr. THOMPSON of New Jersey. In circumstances like that, I should think the minority would need even additional protection.

Mr. CELLER. Additional protection?

Mr. THOMPSON of New Jersey. Yes.

Mr. CELLER. Who is going to be in control?

Mr. THOMPSON of New Jersey. The majority, under the rules of the House, and assuming that there is some degree of party discipline always in control in that situation if there is a majority of one or more than one. I think it will be greater in the next Congress.

Mr. CELLER. I am not speaking in any partisan manner, but certainly if one particular party has a preponderant number of the Members, how can that party be properly served if they are going to have a miniscule number of the staff?

Mr. THOMPSON of New Jersey. If the distinguished gentleman from New York will look carefully, as I see this thing, we are talking about the one-third, and not any of the statutory employees at this point—but not less than one-third of the investigating employees.

Mr. CELLER. I understand but I do not think you have to have a situation as inflexible as you indicate. Of course, we all speak from our own experience. In my own committee, we have not the slightest bit of trouble and I am very generous in parceling out the number of clerks, investigative staff and so forth.

Mr. THOMPSON of New Jersey. I am sure the gentleman always is.

Mr. CELLER. Would it not be better to leave the discretion with the chairmen themselves?

Mr. THOMPSON of New Jersey. No, I do not think so, and had I obtained unanimous consent to discuss the amendment relating to the committee professional staff which really ties in with this, I would explain that this would do the same thing for the minority, and we are going to take another look at the language before we get to page 73. But the purport of these two amendments is essentially to guarantee to the minority party certain staff people, and under the amendments a majority of the majority on a committee will hire their employees and the majority of the minority will hire the minority employees.

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

Mr. THOMPSON of New Jersey. I yield to the gentleman from Iowa.

Mr. GROSS. I have not consulted with my good friend and colleague from Missouri, but I wonder if the amendment would do anything for the minority of the minority.

Mr. THOMPSON of New Jersey. It could not hurt. After all, you are in pretty bad shape now, and any remote possibility might help you and your distinguished personal physician, the gentleman from Missouri (Mr. HALL).

Mr. SISK. Mr. Chairman, I rise in opposition to the amendment. I guess we are getting down to the meat of the coconut, as I mentioned yesterday. The amendment which is now pending before us is of considerable importance if we are really interested in passing legislation, if we are interested in making progress in connection with procedures of the House, and I think Members have been. I think that the debate has gone very well, and personally I was most impressed with the attendance on the floor yesterday and the interest shown by Members, the tone of the debate, and the discussion. Yesterday some amendments were adopted; some were defeated. Again, I think that was an excellent demonstration of the House working its will.

But we we are now coming to some issues that, if I may be permitted to say so, are pretty important issues, and basically depending on how we handle these issues the ultimate status or fate of this legislation could very well be determined.

The whole question of minority staffing, of the rights and privileges of the minority under the Rules of the House was discussed at great length by your subcommittee. I frankly admit that we do not possess all wisdom, and I am sure none of the members of the subcommittee or of the Rules Committee itself would claim that we did. We were dealing with a very difficult subject. Very frankly, whatever we did would be too much for members of one party, in all probability; in all probability whatever we did would be not enough for members of the other party.

I made a remark on one occasion that I understood that the party in the minority today was making quite an effort to win control of the House. Therefore, I assume that sometime in the future they expected to be the majority party, and therefore, keeping that in mind, I think that this amendment and possibly some others along this line should be of just as much concern to the members of the Republican Party as such amendments are to the Democratic Party. The mere fact that the situation for the past 16 years has been one in which the Democratic Party has been in control and the Republican Party has been the minority may or may not continue. That, again, is up to the will of the people.

Of course, I suppose that if any change should occur this next January, those of us on our side would be most happy to have an amendment of this kind, because apparently it is unlimited. In essence, according to the statements made by the distinguished gentleman offering the amendment, the amount could go up to almost any amount which would be set aside specifically and completely for the use of the minority. In no event could it be less than one-third.

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

Mr. SISK. I yield to the distinguished majority leader.

Mr. ALBERT. Mr. Chairman, I thank the gentleman from California for yielding.

Of course, this is a subject on which there has been a great deal of discussion in recent years. If I recall correctly, the 1946 reorganization act undertook to set up a nonpartisan committee for the staffs. That action was first implemented by the 80th Congress, which was under Republican control. I cannot speak for all the committees, but I can for some of the committees. Most of the top people that were selected were selected by the Republican chairman and usually with the advice and agreement of the ranking Democratic Members. Many of those who were selected were outstanding men and women and are still serving their committees after all these years, and I have not heard any complaint about them.

I know we ought to protect the rights of the minority, but I just wonder if—and the

gentleman and his fine committee in their work have gone into this question—the time has come when we should depart from the principle of a professional as against a partisan type staff and go into one where staffs might be divided into opposing camps.

Mr. SISK. Let me say, Mr. Chairman, I deeply appreciate the comments of our majority leader.

I wish to say that if I have said something in my earlier remarks that may sound partisan, I did not mean them in that way, because I firmly and frankly believe this is a matter we should all deal with in as bipartisan an approach as possible.

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

(On request of Mr. WAGGONNER, and by unanimous consent, Mr. SISK was allowed to proceed for 5 additional minutes.)

Mr. SISK. Mr. Chairman, I recall very well I came to the Congress 16 years ago when the Democratic Party became the majority party, after the preceding 83d Congress under the control of the Republican Party, and the committee on which I requested assignment and was fortunate enough to be assigned on that occasion had a very excellent professional staff selected under what I understand was the intent of the 1946 Reorganization Act. It was a professional staff. It was bipartisan. I might say there was not one single member of that professional staff changed during the first or even the second year of Democratic control of that particular committee. Again it seems to me it was being carried on in the spirit of the 1946 act.

I would hope and trust, although the committee has gone a little way here in working with our good friend and my distinguished colleague, the gentleman from California (Mr. SMITH) and others in recognizing certain concerns in connection with the minority problems and the minority needs, that we do not run away here and sink the ship, because really what this does—and this, in my opinion, goes back to the old era of political hacks, and that is exactly what we had in connection with most committee staffs before 1946. If that is what we wish to return to of course, we could go down that road, but I do not believe the Members, either Republicans or Democrats, desire to do that.

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

Mr. SISK. I yield to the gentleman from Louisiana.

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

This subject, like all others in this reorganization proposal, is a coin with two sides. I think through the years, sitting on the House Committee on Administration Subcommittee on Accounts, where the committee chairmen, majority and minority, come for their investigative money and investigative funds for the year, we have found that there is a great deal of discrepancy or variation from committee to committee. We also have found a great deal of divisiveness between the committees, because their practices are so different. I have been the No. 1 defender on the committee of what we are doing in allocating staff members but I have some doubts as to the pending amendment.

We are coming to the point, it seems to me, when something must be done to protect the minority and to provide for some staff members. Something is going to have to be done but I am not convinced that this is the way to go.

I have mixed feelings about this proposal. As a committee member of the Subcommittee on Accounts, we have heard a diversity of opinion from committee to committee, to believe that we are going to have to take some positive action to protect the minority.

It was amusing when the gentleman from New Jersey spoke a minute ago, as to the example given of a House which had 300 Members of one party and 135 Members of the other party, that perhaps under those circumstances they needed more protection and more assistance than under any other.

This is not an argument without two sides. I personally believe every staff member should assist any Member any time and under any circumstances, but it just does not seem we are moving in that direction.

Mr. SISK. I appreciate the comments of my good friend from Louisiana.

Of course, I have not had these experiences. I have served, I believe, on eight or nine different legislative committees and procedural committees, including the committee on which I am a member now, and I have enjoyed the services of good professional staff, of people dedicated to the job, of people who work for Republicans or work for Democrats as the case might be.

As I say, it was my understanding that was the spirit and intent of the 1946 act. I would hope that we do not here take a position to totally reverse that stiuation. Certainly to me, if we are going to divide the funds, that is exactly what we are going to do.

Mr. CLEVELAND. Mr. Chairman, I rise in support of the amendment.

This amendment is one of the bipartisan amendments referred to on several occasions here, as shown in the extension of remarks in the CONGRESSIONAL RECORD, volume 116, part 18, page 24009. The RECORD shows a copy of the amendment, with the principal sponsors besides myself and Congressmen THOMPSON of New Jersey, SCHWENGEL, and WAGGONNER. There is a group of other Members who also sponsored this amendment. They are: Messrs. COUGHLIN, CRANE, DELLENBACK, DENNIS, ERLENBORN, HOGAN, KEITH, KUYKENDALL, LUKENS, MACGREGOR, MAYNE, MORSE, RIEGLE, ROTH, STEIGER of Wisconsin, WINN, and WYDLER.

The amendment, which was printed in the RECORD at that time, failed to include the words I suggested to the gentleman from New Jersey (Mr. THOMPSON). He has included them. Those words are, "if they so request."

I want to make very clear that I also serve with the gentleman from Louisiana (Mr. WAGGONNER), on the Committee on House Administration. It is not always that the minority party will request more than one or two staff members. There are some committees where there is no difference between the two parties insofar as staff members are concerned.

The majority leader made a remark about, suggesting we may be getting away from a totally professional staff? The answer is, in some committees no, but in other committees yes.

In my own Committee on Public Works we have been desperately trying to get needed additional staff, which we would certainly make available to the majority, but we in the minority feel we need them. An example, you ask? I will give an example. The Public Works Committee now deals with Appalachia and deals with economic development. We are in fields where we need the services of economists and we need the services of statisticians, and we do not have them. We are traditionally a dam building, public works type of committee, but now we have gotten into other fields and we need new expertise and we are not getting it.

We have to consider water pollution, which is a hot ticket, as Members know, but we have been able to get only one real expert in that field.

There is a desperate need for the minority to be more adequately staffed, if they request it.

Mr. Chairman, I could discuss the need for increased minority staffing at some length.

In the general debate on Monday, I discussed the book: "We Propose: A Modern Congress," with selected proposals by the House Republican Task Force on Congressional Reform and Minority Staffing, of which I was chairman. My own chapter in that book details the case for increased minority staffing. In that chapter I offered support for the proposition that came from many political scientists and distinguished members of the majority party of this body, such as Representative JOHN S. MONAGAN and Representative David S. King.

Time does not permit me to present the entire case here, but I submit that the case is a strong one which has won wide and well deserved support.

It is difficult for me to conceive of any congressional reform bill worthy of the name that does not absolutely assure to the minority a reasonably adequate staff.

I want to make clear that in some committees the majority is already being very generous, and there is no need for this mandate written into the rules of the House.

However, as the Senator from Louisiana (Mr. WAGGONNER) pointed out, unfortunately, in some of the other committees sad experience has shown that without this type of relief you are stripping the minority of what should be a very important right.

Let me point out something else here. The gentleman from California (Mr. SISK), the very distinguished chairman of the committee, expressed a little surprise yesterday about what happened in connection with proxy voting. Now, if you go back and do your homework on the Legislative Reorganization Act of 1967, you will find that there are not too many surprises coming along. Many of these things were carefully considered by that Joint Committee on Reorganization of the Congress. Minority staffing was carefully considered by the joint committee. Two years of hearings and thousands of pages of testimony, with political scientists from every shade of the spectrum, from all over the country, testified before that joint committee. Many members testified. The record will show that that committee came up with a very strong, solid recommendation in this area of guaranteeing to the minority certain staffing privileges. It is the guts of the two-party system and the guts of the legislative system. If you will turn to page 22 of the report of that joint committee, you will find it right there in writing. We should do great harm if we turn our back on the hard work done by that joint committee, and an extension of that work is what I understand is being done here. You have told me publicly, Mr. SISK, that your committee was building on the findings of that committee and not going over the whole area all over again.

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

Mr. CLEVELAND. Certainly. I yield to the gentleman.

Mr. SISK. I think, yes, that statement is still true. We did use a lot of that material. But to get it straight, the gentleman is not saying that S. 355 had language such as here proposed in connection with the division of committee funds?

Mr. CLEVELAND. I am sorry. I did not get the gentleman's point.

Mr. SISK. The gentleman is not saying that S. 355 proposed a division of the funds such as is proposed here in the amendment we are now considering. We recognize minority staffing, of course.

Mr. CLEVELAND. This amendment does go just one step further, because it pertains to investigatory staffing for committees which come before the Committee on House Administration, but in the professional committees it guaranteed one-third of it to the minority. All this does is—

The CHAIRMAN. The time of the gentleman has expired.

(By unanimous consent, Mr. CLEVELAND was allowed to proceed for 3 additional minutes.)

Mr. CLEVELAND. Mr. Chairman, I want to inquire of the gentleman from California (Mr. SISK), if I have been responsive to his question.

Mr. SISK. I appreciate the gentleman yielding.

Let me say that nowhere in S. 355 do I find any language with reference to a division of funds as provided here where actually the minority party could get 50 percent or, I suppose, 75 percent of the funds, at least, if some committee chose to give it to them. In other words, there is a floor of one-third and an unlimited amount above that. Nothing in this bill has anything like that. It is recognizing minority staffing as your subcommittee recognized it in the findings that it proposed.

Mr. CLEVELAND. There is a difference here because this amendment offered by Mr. THOMPSON and myself and others has to do with the so-called investigatory staff of committees. But listen to what the report says on the standing staff. Here it is. This is page 21 from that report of the Joint Committee on the Organization of the Congress:

"The language of section 202 with respect to the appointment of professional staff without regard to political affiliations shall be retained and emphasized. However, at least two of the authorized professional staff positions—"

And there were six authorized, so that is two out of the six or one-third—

"and one clerical position shall be appointed and assigned to the minority on request."

Mr. SISK. All right. Is that not exactly or just about what we are providing in our bill?

Mr. CLEVELAND. That is correct except that we are extending it to the investigatory staff, which is just as important.

Mr. SISK. Yes. And, of course, as the gentleman knows, there was a request to combine this amendment with the other matter pertaining to professional staff. I recognize here we are talking about funds for investigating staffs, but they were also attempting to connect it to the other. We do require and provide in this legislation—and I hope we will continue it under any set of circumstances—whatever we give would certainly provide that a majority shall control that staff in the final analysis.

Mr. CLEVELAND. That, excuse me, is a departure from the Reorganization Act of 1967 and insofar as you have taken that position you have retreated from the Legislative Reorganization Act of 1967 and I think that is wrong.

Mr. SISK. If the gentleman will yield further, of course there is no Reorganization Act of 1967. There was some proposed legislation.

Mr. CLEVELAND. It passed the Senate by a vote of 75 to 9.

Mr. SISK. As the gentleman knows it never cleared the committee on this side and I might say that some of the things that were contained therein, as my good friend knows, affected its clearing the House of Representatives. I appreciate my friend's concern and I am sympathetic with his position. However, we have gone down the road with you in this bill and I think we have gone further than some people realize.

Mr. FRAZER. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. FRAZER. Mr. Chairman, it seems to me that as we consider an amendment of this kind, we face a trade off that is inevitable in all of the amendments we are considering. There is no amendment to any of these bills that does not tend to tip the balance one way or the other, to gain something and lose something. But I would make the observation, based upon my relatively short time in the House of Representatives, that what is proposed through the adoption of this amendment has not been the practice in the House. I know that "professionalism" is sometimes interpreted to be inconsistent with partisanship. I think that is an erroneous point of view. On the committees on which I serve, contrasting points of view on the part of the staff are very important if not vital in making our committee work more effective. I would judge it important that the minority have the right to have professional staffs who may have points of view different from the professional staff that may be retained by the majority. In no case does this amendment deprive the minority and the majority from working together in developing the kind of staff to best fill the needs of the committee. This is designed to provide a minimum protection from the minority point of view. I would hope that the Democratic side would never be forced to rely upon that protection as a minority. However, I think it is well to establish that principle.

I think, on balance, this is a wise and judicious amendment which I hope will have the support of the committee.

Mr. STEIGER of Wisconsin. Mr. Chairman, will the gentleman yield?

Mr. FRAZER. I yield to the gentleman from Wisconsin.

Mr. STEIGER of Wisconsin. I appreciate the gentleman's yielding and I wish to commend the gentleman upon the statement which he has made, along with the remarks of the gentleman from New Jersey (Mr. THOMPSON).

May I ask the gentleman from Minnesota for clarification on the statement made by the distinguished majority leader, the gentleman from Oklahoma (Mr. ALBERT). These funds for which this amendment is intended are not the funds provided under the 1946 Reorganization Act; that is, the so-called professional staff?

Mr. FRASER. This amendment does not affect that staff. We will come to that later. All this affects are the funds adopted by the Committee on House Administration for investigative professionals.

Mr. STEIGER of Wisconsin. The Committee on Education and Labor, for example, has a breakdown of about 60–40 and I see no reason why the minority should have 75 percent of the funds. I am sure the majority would not allow that to happen. I would hope, however, that the record is clear that this amendment does not go to the 1946 Reorganization Act professional staff.

Mr. FRASER. I used the term "professional" in the general sense and not in the technical sense. I agree that we are dealing with investigative staffing but I think, in fact, that often these funds are used for our professional people and they are retained for assistance to the committee members.

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

Mr. FRASER. I am glad to yield to the distinguished majority leader.

Mr. ALBERT. Of course, what the gentleman has said is technically correct. I was talking about the spirit and intent of the act. I think that was intended with respect to all staffs. That is my recollection of it. But, beyond that I think the statement which has been made by the distinguished gentleman from Minnesota (Mr. FRASER) is very good.

And he has viewpoints that are very fine and sound. That is one of the things that bothers me about this, but I think this is primarily the function of the Members, and I think the professional—and I use it in a broad sense—is primarily to function as a staff.

Mr. FRASER. I thank the majority leader. I can only say in my own experience that a good staff person who holds strong points of view and is well qualified, can be of enormous assistance to Members in suggesting questions and presenting viewpoints, so that I think diversity is of help to the committee.

Mr. KYL. Mr. Chairman, I move to strike the requisite number of words, and I rise in favor of the amendment.

As one who has received requests of individual Members and chairmen for a number of years, I would like to put this whole thing in a little different context. To me this is not a partisan matter, it is not a matter of representation of one party or the other. It is a matter of getting adequate staffing for a committee.

In case No. 1 you have a committee which does not have an adequate staff to perform its functions for either the majority or the minority. We have had chairmen who have simply refused to add additional staff members. We have had those committees in which the chairman—and I am speaking from experience here, and not from fancy—we have had other chairmen who have had a staff which was unavailable to either majority or minority members. We have had extra staffing situations in which a chairman has as many as 32 consultants doing work for that chairman of the committee, committee work and legitimate committee work, about which only the chairman knew, and not even the majority members knew, only the chairman knew what they were working for on the committee.

I view this as an opportunity to get adequate staffing for all members of the committee, regardless on which side of the aisle they sit. And to the extent that we provide that adequate staff, I think this is an excellent amendment, and I yield back the balance of my time.

Mr. DENT. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I view this pretty much in the same sense as the previous speaker did. Out of the 22-year term that I have served, at one time, I served 18 of them as a minority leader, and the first 12 years of that period we operated somewhat like the loose screws we operate here insofar as staffing for the minority is concerned.

I finally convinced the majority they ought to set up some kind of a staffing procedure for the minority.

This House would be surprised if they knew how much easier the work became between the minority and the majority leaderships when the staffs were given to the minority on the committees, as well as a staff provided for the minority leadership.

Even today I personally believe that we have on the Committee on Education and Labor, and any of its autonomous committees, better understanding, and I do not believe that they would contradict what I say in that the work of the subcommittees and the work of the full committee is oftentimes expedited because the minority is given a significant, self-appointed staff membership of their own based on somewhere near the percentages the gentleman from New Jersey (Mr. THOMPSON), has in this particular amendment.

The function of being a legislator demands certain knowledge that you cannot get if it is going to be a question of always having to rely on a person who is not in some way allied to your viewpoint. If we did not have different viewpoints there would be no difference between our political parties. The Republicans have to have a philosophy somewhat different than ours, and Democrats of course have a philosophy of their own. So there is no reason why their staff members should not be in the committee meetings, and in the markup meetings and everything else, as they are for those in the majority, and give the viewpoints that they know and that they are able to give, based upon the philosophical differences in legislative enactments.

I would say that it would be a big mistake if this House today did not take advantage of an opportunity of establishing a sound principle in this legislative body of giving the minority a staff to work with that understands the minority viewpoint.

I might say very frankly to you that the minority staff of my own subcommittee that I can speak for, and I believe for the others, is very helpful in the work done when we get down to the nitty gritty parts of really writing the legislation and what is going to be presented to this House. Many times these staff people work way into the night trying to get the language that meets the desire of the minority as well as the majority needs and desires.

I would beg of you to give very serious consideration to this and not try to hide the issue by saying it will be partisan.

I do not believe the minority members of our Committee on Education and Labor are any more partisan than any of the other committees' minorities are, or majorities are, whether they get the staff or they do not get the staff. Partisanship is what causes elections to have to happen and you cannot wipe away partisanships by denying proper staffing to a committee.

Mr. HARVEY. Mr. Chairman, I move to strike out the last word.

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

Mr. HARVEY. Mr. Chairman, I have expressed many times since I have been in here in the House the hope that if, and when, my own party takes control of this House that this would be the first act that they would perform—that is to be generous and allot a specific standard insofar as allowance of staffing is concerned.

Today we have an opportunity to do that while the party in which I belong is still in the minority. The spirit of fairness demands it.

I have heard many references here at this time by our more senior members and some in the leadership to the Republican controlled 80th Congress and to that time many years ago when the reorganization bill was passed. But the facts of the matter are very simple, Mr. Chairman. The facts of the matter are that within the last 40 years the Republicans have only controlled the Congress in 4 of those years, or in two Congresses.

The facts of the matter are that in most staffs, I would say in all of the legislative staffs, the investigatory members are not bipartisan. Those who are hired to investigate know who control the pursestrings. They know who has the power to hire and fire. The minority cannot do its job unless it is allotted a specific number of persons. The standard of one third is fair and reasonable.

In my years in the Congress, I have concluded that this subject is widely misunderstood by the people back home. They seem to think that the person they elect and send down here regardless of his party or regardless of whether he serves in the minority or the majority can perform equally as well as any other person they send down here.

I hate to confess to my people that this is not true. We, in the minority party have not over the years, and do not now have adequate staff and the necessary staff to do this in many cases.

I heard it mentioned by the chairman of a committee, for whom I have the greatest regard, that my party might possibly get as much as 75 percent under the words that are used in the bill. I would say to him with all respect, I think this is a joke. In all the years I have been here, I have never seen anything even approaching such an award, nor in the time I have served on the Committee on House Administration have I seen any such figure approaching such an award. I cannot conceive of it.

Mr. SISK. Mr. Chairman, will the gentleman yield

Mr. HARVEY. I am glad to yield to the gentleman.

Mr. SISK. I would agree with the gentleman on that and I would doubt seriously that it would happen anyway, and the language that is here before the House would preclude that, as the gentleman would very frankly admit; would he not?

Mr. HARVEY. I would admit it but the gentleman would agree with me, I am sure, that there is nothing in the language which would assure the minority of getting 5 or 10 percent. It would depend on what the gentleman's spirit of fairness might construe it to mean.

Mr. SISK. Will the gentleman yield further?

Mr. HARVEY. I yield to the gentleman.

Mr. SISK. It is my understanding that it guarantees one-third—not less than one-third?

Mr. HARVEY. This is what we are specifically asking for—the investigative personnel. That is what I am talking about.

Mr. SISK. If the gentleman will yield further for the purpose of making a correction—and I am sure the gentleman did not mean to leave the wrong impression—but a little while ago I understood he referred to what the joint committee did. The joint committee made no recommendation in connection with the investigative staff, in connection with minority hiring or minority rights. They did discuss the subject in connection with professional staffing, as we have in this bill, but I think we should keep that matter in perspective.

Mr. HARVEY. I am sure the gentleman will have ample time to answer that statement. I just want to close by saying I believe a spirit of fairness should compel adoption of the amendment. I want to applaud those on the other side of the aisle, some of whom I have had the pleasure of serving with on the House Administration Committee, and the others as well who have spoken for this particular amendment.

During my time in Congress I have served on four committees: The Committee on Public Works, the Committee on Banking and Currency, the Committee on Interstate and Foreign Commerce, and the Committee on House Administration. Those committees cover a variety of subjects. I have seen the allotment of staff abused over and over again, and I have often considered how our work could have been that much better if the staff had been available. I hope the House will see fit to adopt the amendment.

Mr. HOLIFIELD. Mr. Chairman, I rise in opposition to the amendment.

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

Mr. HOLIFIELD. Mr. Chairman, we are faced here today with a very practical question. The question is, Who has the responsibility for the legislative program of the House? The people of this country make their choice when they choose as President a member of one political party for service in the executive branch. He has the responsibility for the program of the executive branch. Only recently the President asked for and received, under Reorganization Plan No. 2, 90 political appointees in the Office of the President for the express purpose of studying programs and setting priorities on those programs for funding and implementation, programs which the Congress has authorized.

In the legislative branch the majority party, whichever it may be, has the responsibility for producing the legislative program which their party stands for and their party platform stands for. In order to do that, they have traditionally been given, whether it was a Republican administration in power or a Democratic administration, they have been given the privilege of appointing the staffs of the different committees.

Speaking from my own personal experience as Chairman for 6 years of the Joint Committee on Atomic Energy, there is no Republican member of that committee who can rise and accuse me of partisanship in the setting of staff. The staff have the explicit order from me as Chairman to respond to every inquiry and to give every assistance to the minority members that they have given to the majority.

In my Subcommittee on Military Operations of the House Committee on Government Operations the same identical direction is given to the staff. I have never had a member of the minority party come to me and say that the staff did not respond to their request and did not try to serve them.

Frequently I have consulted with the minority and got their approval of different members who were put on the staff, but I could not tell you today if I was requested, the political affiliation of the members of my staff. I have never asked them. I do not hire them on that basis. They are hired on the basis of professional competence, and I expect them to serve the committee and to serve the majority program of the majority party in putting the emphasis on the legislation which is being developed. But this task of majority program implementation does not preclude them from giving reasonable professional service to the minority.

The amendment that has been offered by Mr. THOMPSON would actually give exclusive staff to the minority in addition to the general staff which is provided for under the Reorganization Act of 1946.

I assume that the minority staff would serve the minority members only.

If that be the case, would the minority members cease requesting service from the general professional staff and the two-thirds "investigative" and "clerical" staff hired by the chairman and assigned to the various subcommittees?

Would a sharply divided staff responsible to the minority party and its different political philosophy, result in staff division and staff dissension?

Frankly, I do not know what the result would be. But I do know that it would make the majority party's task of discharging their responsibility more difficult.

I was here in the 80th Congress, and I was here in the 83d Congress, and I lived under the rules of that time when the House was controlled by the Republicans and I made no protest.

I say that the responsibility in the executive branch belongs to the President, and he has the right to fire every political nonclassified employee that he wants to—and there have been many of them who have walked the plank voluntarily or by request. I go along with that.

In the legislative branch the majority has the legislative responsibility. The legislative game is not a croquet game or a pink tea tennis game. This is a game where we are legislatively carrying out the mandate of the people in the respective branches of Government, whether it be the executive or the legislative, and there is bound to be some conflict between the philosophies on both sides of the aisle. I say when the majority is Republication, they should control the tools to put the program which the people have approved by electing them into effect, and I say when the Democrats are in power that they have to program legislation on the basis of their platform pledges, their programs, and their policies, and they should have the right to have the control of the tools to put their philosophy into effective legislative form.

With due regard to fairness and with due regard to the rights of the minority, I believe this can be obtained under the present situation, and I ask that the Thompson amendment be defeated.

Mr. DELLENBACK. Mr. Chairman, I move to strike the requisite number of words.

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

Mr. DELLENBACK. Mr. Chairman, may I say

just a few word in response to the gentleman who preceded me in the well. Without any doubt, it is the responsibility of the majority party in the Congress to take the leadership so far as the pushing of a legislative program is concerned. But more than half of this body has received at least a portion of its professional training in the law. And any of us who has served in the law and has participated in trial work is aware of the fact that with the goal being justice, the advocacy system calls for the best possible presentation of both sides of the issues which come before the court. With the goal being justice, justice is better achieved if there be the best possible presentation of the case for the plaintiff as well as the case for the defendant. There is no intention that, in our system of justice, merely because of the fact that one side has a certain responsibility, the other side should be deprived of the tools that are necessary to make the best possible presentation in opposition to that which is presented by the one side.

Nobody is suggesting that the chairmanships be divided. Nobody is suggesting that the responsibility should be divided so that in some instances the minority shall be pushing and shall be in charge of the mechanics of the legislative process.

All we are requesting is that with the goal on both sides of the political aisle being the best possible legislation, the minority—whichever party it may be Republican or Democrat—have the chance to go into committee deliberations with staff doing investigative work so that the best possible case can be made in opposition to the program of the majority party.

The votes are still in the majority. If after the best possible case has been made by both the majority and the minority, the majority are unpersuaded that the legislation would be any better as advocated by the minority, then the votes are in the hands of the majority to pass the final legislative product.

But this amendment which is here proposed and which has been advocated by Members on both sides of the political aisle merely says we are all better served if in the committee's deliberation it has had the chance to have brought before it the best possible evidence, some dug out by staff for the majority and some dug out by staff for the minority.

With the full facts laid out before the committee, the decision will be made by the majority, so long as it remains unpersuaded of the case which the minority makes.

We do not ask for going beyond that, but we feel justice and better legislation will be forthcoming with the adoption of the amendment here proposed.

AMENDMENT OFFERED BY MR. DINGELL TO THE AMENDMENT OFFERED BY MR. THOMPSON OF NEW JERSEY

Mr. DINGELL. Mr. Chairman, I offer an amendment to the amendment offered by the gentleman from New Jersey (Mr. THOMPSON).

The Clerk read as follows:

"Amendment offered by Mr. DINGELL to the amendment offered by Mr. THOMPSON of New Jersey: Add a new paragraph as follows:

"'(d) The majority party on any such standing committee shall receive not less than one-third of the funds provided for the appointment of committee staff personnel pursuant to each such primary or additional expense resolution.'

"Renumber succeeding paragraphs accordingly."

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

Mr. DINGELL. Mr. Chairman, this amendment is not offered in the spirit of partisanship. Frankly, I have always thought that the minority needed and deserved staff. I have always felt it was appropriate that every Member of this body should have committee staff. But I believe it is time this body recognized that the amendment offered by my good friend from New Jersey is a remarkable change of direction and orientation from that which we have seen during my 16 years of service in this body.

It effectively says we are going to have a committee staff and says we are going to have a minority staff.

As I have indicated, I believe it is desirable that the minority should have a staff. I believe it is also desirable that we should have a staff for the majority if we are to have a staff for the minority, because, if the amendment offered by my good friend from New Jersey carries in the form in which it is written, we will have a committee staff.

Under the rules of every committee I have served on—and I have served on four; the Committee on Public Works, Interstate and Foreign Commerce, Small Business and Merchant Marine and Fisheries—every member of the committee, regardless of his position and regardless of his partisan position in the House or in the Congress, is entitled to call in full upon the staff of the committee and to achieve equal treatment in terms of receiving service from that staff. That is how I believe it should be.

During my years in this Congress I have never heard a Member on either side of the aisle complain about the quality or kind of service given by members of the staff.

As to each of these committees, I have no way of knowing what the partisan designation or political philosophy of the members of the professional staff happens to be. However, each of them does have a minority staff which is available only to the members of the minority. This is something about which I do not complain.

I will say that if this amendment goes through as offered by my good friend from New Jersey (Mr. THOMPSON), we will have a highly preferential set of circumstances where members of the minority will achieve a highly preferential treatment in terms of services of the staff. They will be able to call in the future as they have in the past, upon the services of the committee staff and receive equal treatment therein. The members of the majority, whoever they might be, whether my party or the other political party, will continue to have the right to call only on the committee staff. But the minority will also have the special minority staff designated for their particular service.

I believe a student of political science or the House of Representatives or the Congress of the United States can recognize with some clarity that this is a set of circumstances which does not work to further the very desirable goal of majority rule, and does not give the majority party in this body an opportunity to achieve an ability to work its will and to function effectively.

During my years in the Congress I cannot recall a single instance when the staff behaved in a partisan fashion on any of the committees on which I have served.

I would point out something else. During my years of service in this body I can recall no instance when the staff functioned as a majority or minority staff, or when it failed to give due recognition and due dignity to requests by members of the minority.

As a matter of fact, I believe it would be uniformly agreed to by the members of the committee on which I serve that the committee staff has provided equal and equally valuable and equally dignified service in response to the requests of members of both the majority and the minority. So, if we are going to take this rather extraordinary departure from the practices and the rules and the way in which this body has behaved over the years and increase the staffs here, I believe it becomes very plain that we should do one thing more, namely, see to it that the majority has a staff upon which they may call so that we may have a professional staff for the committee and a staff for the minority, which I think is desirable, but also that we should have a staff for the members of the majority so that they might have somebody to whom they might look at any given time on any project on which they have embarked which would be in the unique position of being a staff that reflects a viewpoint. While I discuss this quetsion of viewpoint I believe it would be worthwhile to make it very plain that during my years of service here I have never permitted staff on any committee on which I served to exercise a policymaking function. I believe this to be hopelessly undesirable, but if we are going to do so, then I would urge we make it available to the members of the majority.

LEGISLATIVE REORGANIZATION ACT OF 1970

Mr. SISK. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill (H.R. 17654) to improve the operation of the legislative branch of the Federal Government, and for other purposes.

The SPEAKER pro tempore (Mr. BOGGS). The question is on the motion offered by the gentleman from California.

The motion was agreed to.

IN THE COMMITTEE OF THE WHOLE

Accordingly the House resolved itself into the Committee of the Whole House on the State of the Union for the further consideration of the bill H.R. 17654, with Mr. NATCHER in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the committee rose on yesterday the Clerk had read through section 110, ending on page 24, line 12, of the bill, and there was pending the amendment offered by the gentleman from New Jersey (Mr. THOMPSON) and an amendment to the amendment offered by the gentleman from Michigan (Mr. DINGELL).

Without objection, the Clerk will again report the amendment offered by the gentleman from New Jersey (Mr. THOMPSON) and the amendment to the amendment offered by the gentleman from Michigan (Mr. DINGELL).

There was no objection.

AMENDMENT OFFERED BY MR. THOMPSON OF NEW JERSEY

The Clerk read as follows:

"Amendment offered by Mr. THOMPSON of New Jersey; on page 23, line 15, strike out the words 'and shall receive fair consideration in', and insert in lieu thereof the following: 'if they so request not less than one-third of the funds provided for'.

"And make the appropriate and necessary technical changes in the bill".

AMENDMENT OFFERED BY MR. DINGELL TO THE AMENDMENT OFFERED BY MR. THOMPSON OF NEW JERSEY

The Clerk read as follows:

"Amendment offered by Mr. DINGELL to the amendment offered by Mr. THOMPSON of New Jersey: Add a new paragraph as follows:

"'(d) The majority party on any such standing committee shall receive not less than one-third of the funds provided for the appointment of committee staff personnel pursuant to each such primary or additional expense resolution.'

"Renumber succeeding paragraphs accordingly."

Mr. Moss. Mr. Chairman, I move to strike the requisite number of words, and I rise in support of the amendment.

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

Mr. Moss. Mr. Chairman, I rise in support of the amendment offered by the gentleman from Michigan (Mr. DINGELL) to the amendment offered by the gentleman from New Jersey (Mr. THOMPSON) because I believe the amendment brings very clearly into focus basic problems which attach to the amendment offered by the gentleman from New

Jersey to provide that one-third of the investigative staff would be controlled by the minority.

I have for 16 years chaired investigative subcommittees of committees of this House, and on all of those subcommittees—and there have been quite a number of them—the investigative staff has done the work of the committee. It has not done my work. It has not done the work of the majority. It has done the work for the committee, and has been as available to the minority as to the majority.

As a matter of fact, I had inquiry made of the staff of my Subcommittee on Foreign Operations and Government Information, and find that they respond to more requests from the minority than they do requests from the majority.

Now, I think we would have to look at the structuring of these investigative staffs. The responsibility of legislating and investigating and conducting the affairs of this Congress rests with the majority of the Congress, the majority party of the Congress, and that has long been a tradition. If we are now to change that pattern as it relates to staff and if it is going to be segmented, then let us do it fairly, let us give one-third of the staff to the majority and say "you use this for whatever partisan purposes you want," give one-third of the staff to the minority and say "you use this for whatever partisan purposes you might have in mind," and then have one-third to do the work of the Congress and carry on the responsibilities of the committee.

I believe that is fair, it is even-handed, but I do not believe it will represent good Government, good investigation, or good legislative procedures to do it. But if it is going to be segmented by partisan designations, then do it that way.

At this moment I could not tell you the party affiliation of a number of the members who serve on the staff of my subcommittee, either on Government Operations, or the Committee on Interstate and Foreign Commerce.

Then, of course, there is the very interesting question. How do you finally divide one-third of one? In some of these subcommittees, you end up with one investigator. How do we give one-third of one investigator to anybody? The problem becomes mighty complicated—or you could require that we cut him up into three—or maybe we can divide it on the basis of time rather than in dollars. I think it is a ridiculous proposal.

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

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

Mr. CLEVELAND. It is not ridiculous at all because the language is very clear and precise and addresses itself to one-third of the funds. It says nothing about one-third of the people. It says one-third of the funds.

Mr. Moss. Mr. Chairman, I decline to yield further to the gentleman.

It says one-third of the funds—and the funds employ people. Now you are going to have to have a staff director normally for a committee or a subcommittee. Who is going to pay for the funds that go to the staff director? Are you going to have two staff directors? If you are going to have two, then why not have three?

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

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

The CHAIRMAN. The time of the gentleman from California (Mr. Moss) has expired.

(Mr. Moss asked and was given permission to proceed for 3 additional minutes.)

Mr. HOLIFIELD. Another interesting question is brought up by the Thompson amendment—Will the minority members have access to the two-thirds that are left that they have at the present time? In other words, are we really guaranteed two-thirds of the staff to the majority and one-third to the minority. Is that the purpose both in the professional and the clerical, because there is another section in the bill where they get to the clerical and the professional staff and the Thompson amendment, I understand, applies to the investigative staff.

So the intent apparently is to have one-third exclusive to the minority staff and then have full access to the balance of the staff, which they now have.

Mr. Moss. That is the way I would read it. That is why I support the amendment offered by the gentleman from Michigan, because that clarifies it.

Mr. HOLIFIELD. That is right. The amendment offered by the gentleman from Michigan says that there shall be one-third for the minority and one-third for the majority and then the other one-third, we will fight over who gets to appoint them.

Mr. Moss. It is probably available to both.

Mr. HOLIFIELD. What did the gentleman say?

Mr. Moss. It is probably available to both, and I would hope so, as the present professional staff is available to both sides.

I will concede it would create greater confusion than to attempt to intermix the staff in the manner that is proposed here.

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

Mr. Moss. I am pleased to yield to the gentleman from Ohio.

Mr. HAYS. I do not know how it would work on all committees, but if it works the way it does on one committee I am on, it will not create any confusion because the professional staff that we had before are doing all the work and the one-third that has been added on are political employees and are out playing politics. They really do not interfere with anybody on the staff and they are never there and do not know what is going on.

Mr. Moss. Mr. Chairman, I yield back the balance of my time.

Mr. SMITH of California. Mr. Chairman, I rise in opposition to the amendment offered by the gentleman from New Jersey (Mr. THOMPSON) and in opposition to the amendment to the amendment offered by the gentleman from Michigan (Mr. DINGELL).

Mr. Chairman, these amendments give me considerable concern. In fact, it frightens me. I am unable to ascertain from the debate, which I listened to very attentively, just what the real purpose of offering this amendment is.

Later on in the bill, as I said when I made my first remarks in presentation, I submit that the majority party was very fair to the minority in writing into the rules that we would have two of the six professional staff members and we would have one of the six clerical members.

I well realize, Mr. Chairman, that there are more than six staff members on a committee, and that more than one would not be 30 percent of the clerical staff on many committees, but that would at least give the minority some assurance that they will have two staff and one clerk. To go ahead now and start dividing up money on investigative staffs, in my opinion, would simply cause confusion.

There may be one or two committees in the House—if so, I have never served on them—where there is some dissention among the investigative staff of the committee. But I have served on the Veterans' Affairs Committee and I never had any problems with the staff of that committee. I have never had any problems with the committee staffs. They are just as courteous, kind, and efficient to me as if I had a third of the money and attempted to pick up my own staff. I think we are going to start a backward step and end up with two competing investigative staffs.

As mentioned by the gentleman from California (Mr. Moss)—and I am not quite clear how he meant it—but assume the Committee on Internal Security or the Committee on Standards of Official Conduct wanted to hire a former investigator to go out and investigate a specific complaint. Are we then going to have three staff members so that the minority can have one as its staff member, one investigative member, so that he can go one way and the other two go the other way? I do not think we should have two investigative staffs competing with one another.

I do not have any such problem on the Rules Committee. In fact, if I were ever fortunate enough to be chairman of the Committee on Rules I would hope that the three clerical staff girls would stay with the committee and the two able professional staff members would, also.

I have never had a problem with the gentleman from New York on the Judiciary Committee. He was eminently fair in selecting able people to conduct appropriate investigations.

If you want to start killing this bill, if you want it killed with kindness, start with amendments like these that have been offered.

There are many points of value to the minority in the committee bill. I will not take the time to read them all. At least we will have 1 day for witnesses and 3 days, excluding Saturdays, Sundays, and holidays, to file our minority reports, which will have to be printed. We will have half the time on conference reports. I think the majority is being very fair to the minority, and the majority party has the responsibility of running the House of Representatives. If we ever get to be the majority party it will then be our responsibility, and I hope that we will do a good job and we will be the ones who will be responsible for doing these things.

In my opinion, this is a bad amendment. I think it is wrong to proceed in this manner and clutter up this bill with this investigative staff proportion of the committees. I oppose the amendment and the amendment to the amendment.

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

Mr. SMITH of California. I am pleased to yield to my distinguished chairman.

Mr. COLMER. This is a classical example of what happens when we try to rewrite the rules of the House on the floor of the House without ample and sufficient background, No. 1. No. 2, Mr. Chairman, it also exemplifies the high character, the objectiveness, and the statesmanship of the gentleman from California (Mr. SMITH) in approaching these matters without partisanship, and I just want to pay my compliments to him.

Mr. SMITH of California. Mr. Chairman, I will mention for the benefit of the Members various measures in which consideration for the minority has previously been considered:

It was recommended by the Joint Committee on the Organization of the Congress in its final report of July 28, 1966, page 21. It was in S. 355 as introduced by Senator Monroney on January 16, 1967.

It was in H.R. 2594, introduced by the gentleman from Indiana (Mr. MADDEN) on January 17, 1967.

It was in H.R. 2595, introduced by former Member Mr. Curtis from Missouri, on January 17, 1967.

It was in S. 355, and it was passed by the Senate.

It appeared in the same form in every legislative organization bill in this Congress by Republicans and Democrats, including 11 bills that have been introduced and given fair consideration. It seems to me that if all those people agreed with it, about 110 Members, the language in the bill is the best approach.

Mr. Chairman, I urge the defeat of the

amendment and the amendment thereto be defeated.

Mr. CELLER. Mr. Chairman, I rise in opposition to the amendment.

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

(By unanimous consent, Mr. CELLER was allowed to proceed for 3 additional minutes.)

Mr. CELLER. Mr. Chairman, I respectfully oppose the amendment offered by the gentleman from New Jersey. When threshed out, we will find it is full of mischief. Its paramount deficiency lies in its rigidity. It leaves no room for flexible personal policy.

When the committee's budget is submitted to the Committee on House Administration, the proposed expenditures on salaries is at best only an estimate. The number of persons employed on the investigatory staff expands and contracts as the needs of the committee demand. One month the staff may number 15, and the following month 12. Thus, if the amendment prevails, the committee will find itself involved in constant bookkeeping operations. As the size of the staff changes, does the allocation in dollars and cents change? Remember, too, the salaries very, so a rigid percentage would in no way guarantee adequate staff for the minority, depending upon which staff members were necessary to discharge and what was the rate of pay.

I remind the Members I am not talking in self-interest as the chairman of a committee, the Committee on the Judiciary. The staff of the minority on the investigatory payroll of my committee now receives more than 40 percent of the payroll expenditures. We go way beyond what the amendment even suggests.

I believe that the application of a rigid formula will do much mischief. By applying the formula which says "so much is yours," and "so much is mine," we risk a sharper polarization of staff. We encourage a greater emphasis on political affiliation rather than on technical competence.

I have long hoped that the committee staff would serve the Members, not only along ideological bipartisan lines, but along the lines of skilled professionals and craftsmen.

For example, in employing personnel for our investigation into conglomerate corporation mergers, as well as in all the other investigations we have conducted—and we have conducted many of them—in those we have undertaken I did not once ask the political affiliation of any applicant to the staff. This approach is reflected in the total staff. Many of the employees who now are considered majority employees came to my committee when the House was organized by the minority party. Consequently, there is a continuity of staff expertise. We kept them on, because they were competent, because they were dedicated, and not because they were Republicans or because they were Democrats, and not because they belonged to the minority or to the majority, but because they were worthwhile.

This rigid formula on salary allocations based on political affiliation and choice was always prohibited so far as I was concerned, and so far as my counterpart on the Republican side of my committee was concerned, the gentleman from Ohio (Mr. MCCULLOCH).

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

Mr. CELLER I yield to the gentleman from New Hampshire.

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

The Chairman has spoken several times about the rigidity that the amendment offered by the gentleman from New Jersey (Mr. THOMPSON) might impose. I want to be sure the Chairman realizes that the amendment specifically says that they will have not less than one-third if they request it.

Mr. CELLER. I am aware of it, but there is the other word "one-third," and that is the word that is going to count most, not the least. The demand is always going to be with more emphasis on one-third, and that is what I object to.

This should not be a matter of arithmetic. This appointment of staff members ought to be a point of competence.

The use of a fixed formula in no way guarantees an equitable solution. Much depends upon the nature, the duration, and the objective of the committee. The situation should dictate staffing needs.

I believe that the proposal as is presently in the bill will work in the best interests of both the majority and minority parties.

Members should keep this in mind: That the majority staff of my Judiciary Committee and all other committee staffs serve all the members of the committee. Certainly the clerical staff who man the telephones, who keep the committee calendars, who mail the agenda, who distribute the mail, and so forth, are all charged to the so-called majority payroll but they serve all the members. Are they to be subtracted, added to, divided, and subdivided according to this formula? We see how absurd and inane this proposal becomes.

Now, as to the amendment by the gentleman from Michigan (Mr. DINGELL) to create two separate staffs, one for the majority and one for the minority, that will completely polarize the two factions. It would create greater and unnecessary dissension. Both sides would be weakened.

The greater responsibility lies with the majority. It has more members. It has to file the reports. It floor manages the bill. It leads in conference. It assumes the greater responsibility. Thus there was never meant to be any equality between the majority and the minority in that regard, and the Dingell amendment flies in the face of that theory.

I wonder, how otherwise could the majority, the majority of the people, properly discharge their responsibility?

Finally, the development should be toward a professional corps rather than a partisan or ideological division. The ideology should be controlled by the members, but the technique of the committee should be controlled by the staff. That should be the lodestar that governs and guides all committees.

Mr. THOMPSON of New Jersey. Mr. Chairman, will the gentleman yield?

Mr. CELLER. I yield to the gentleman from New Jersey.

Mr. THOMPSON of New Jersey. Mr. Chairman, I will not bicker with the dean of the House with respect to his views relating to my amendment, but I should like to comment on the amendment to my amendment by the gentleman from Michigan.

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

Mr. THOMPSON of New Jersey. Mr. Chairman, I ask unanimous consent that the gentleman may proceed for 2 additional minutes.

Mr. CELLER. Mr. Chairman, I do not wish more time.

Mr. QUIE. Mr. Chairman, I rise in support of the amendment.

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

Mr. QUIE. Mr. Chairman, I should like to reiterate what has been said before, that there is a great deal of flexibility involved. The amendment is not inflexible as others believe.

The gentleman from New York has indicated it is inflexible. The amendment does not say it must be one-third, but it says it should be at least one-third. If there is an arrangement in the Judiciary Committee where the minority needs 40 percent, there is nothing to prevent it. However, it does insure for the minority, if they request it, that there would be at least one-third of the funds—not one-third of the staff, but one-third of the funds.

If the committee operates so that there is no ideological difference at all, undoubtedly the majority and the minority will work together on the staff and all the staff will serve all the members.

However, in many of the committees there is a philosophical difference which seems to fall along party lines. Some seem to worry that this would cause greater partisanship. I have had experience since 1959 on the Committee on Education and Labor. If any committee has had partisanship, this one has certainly had it. But back some years ago, when we had very little funds for the minority, I recall one year when the majority had 50 staff members and we had four. The chairman then fired two of our minority staff members, which really put us in an embarrassing position. If you wanted to say there was partisanship, we certainly had it that year.

We had it until we were able to secure about a third of the money for the minority. We worked much better since that time. The reason is this: Instead of resorting to partisanship, we have been able to develop the facts and come up with the kind of dialog in debate that has meaning to it.

We can use the example of the coal mine safety bill which passed this Congress. I recall in previous Congresses the coal mine safety bill legislation was fraught with complete partisanship and there was little logic to the debate. At least in this Congress, though, the House Members on both sides of the political aisle had done a very thorough study on their amendments. I think they came up with better educated arguments than had ever been pursued before.

For that reason I think this amendment makes good sense. While those of you who are now on the majority side have been on that side for most of your own careers here in the Congress, you may be on the minority side some day.

I commend the gentleman from New Jersey (Mr. THOMPSON) for the kind of forthright stand he has taken, being in the majority and sticking up for the rights of the minority, because without that kind of support we would be lost over here.

Mr. THOMPSON of New Jersey. Will the gentleman yield?

Mr. QUIE. I yield to the gentleman.

Mr. THOMPSON of New Jersey. I really honestly believe that the minority should have some help, but I do not want any construction put on my amendment that in any way I anticipate or desire to be in the minority.

Mr. QUIE. I recognize the gentleman neither anticipates nor desires that. I am also enough of a realist to know that it would be just about a miracle, I guess, next fall if we had the election turn out where we would be in the majority afterward. Most of the reason for that is the fact that you do have a pretty sizable majority now and we have developed a means whereby an incumbent can reach his constituents better than ever before, so it is easier for him to stay in office than ever before, as the last few elections have indicated.

I should also point out, while it is a help to the minority, this Member of Congress does not anticipate staying in the minority forever. I hope you will be able to benefit from this amendment some day in the future.

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

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

Mr. FRASER. I want to say to the gentleman that we both served in the State Senate of Minnesota. One of the reasons why I support this amendment is I found in all the years that I served in that legislature I was a member of the minority group in the State senate. I fought hard to get minority rights. I find it impossible now that I am in the majority suddenly to decide that I was wrong all those 8 years. It seems to me minimum pro-

tections for the minority strengthen the legislative process. That is why I think the amendment is a good one and I intend to support it.

Mr. QUIE. The gentleman from Minnesota learned what it was like to be in the minority while he was in the minority in the State senate, and I learned how important it is to have minority rights while serving in the Congress, but both of us recognize what some of the minorities go through, and when the majority say, "Well, we will give you what you need," it is not always sensitive to the needs of the minority.

Mr. HAYS. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, when the Dingell amendment is disposed of, I want to serve notice that I am going to offer an amendment to the Thompson amendment which will strike out the period and insert a comma and the following words:

"Provided further, That this amendment shall become effective upon notification from the President that the Executive Branch of the Government will assign to the opposition party the appointment of one-third of the nonclassified personnel appointments in the Executive Departments and agencies of the Government."

Now, Mr. Chairman, if this is such a good thing, we ought to spread it around. If that amendment should fail—and I do not think it will because I am going to make the point of order and get the reformers over here; you know there are a lot of reformers around here and there are a good many of them on our side but I do not see many of them here; they want to reform but they do not want to be here when we reform. I made a speech last night in Columbus on behalf of the Democratic candidate for Attorney General in Ohio—if he lives until November he will be elected in view of what is going on out there with the Republicans trying to cut each other up—and I told them that there are certain areas in Washington where words and slogans become popular. We had the New Deal, the Fair Deal, the Square Deal, the Bull Moose, and right now it is reform. I told them last night, publicly, I said if you wanted to pass a bill to legalize prostitution, you call it a reform bill and you can get it through the House in 30 minutes.

Mr. Chairman, there is not any reform about this. I know something about professional staffs and have dealt with them over the years. We have a staff on the Foreign Affairs Committee that I can honestly tell you does a job for both sides and I have no idea as to the politics of any of them insofar as that is concerned.

And, Mr. Chairman, another thing. Why 35 percent? If I can read the political signs right and if the Nixon depression continues, we may only have 25 percent Republicans in Congress but over there, if this passes they are going to have 35 percent of the jobs. What kind of arithmetic is that?

We have made provision in the House Administration Committee to see to it that the minority—and I supported it and voted for it and as chairman of the Subcommittee on Accounts I have said that if they get money—and we have asked every chairman and every ranking minority member who came before the Subcommittee on Accounts, "Are you satisfied with the staff arrangements? Are you getting your share? Are you agreed that you have professional people on the minority? Is the committee in agreement on how much money you want"? And not until they said they were have we given the committee chairmen any money. That is a rather recent development, but that is the fact of the matter.

Now, Mr. Chairman, all I can say is that this amendment would, if it passes, as the distinguished dean of the House said, further polarize the staffs of the committees until you get them so busy working against each other that they cannot work for the Members. I think that is what is going to happen if this amendment passes.

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

Mr. HAYS. Yes, I yield to the gentleman from Illinois.

Mr. ARENDS. I join with the gentleman in his regret that those who so badly desire reform do not happen to be here this afternoon I feel we possibly ought to, send letters out to all of them, advising that if this reform bill passes and there is adopted the public teller amendment, each and every Member is going to have to be on the floor of the House for every amendment on every bill or be listed as absent in the RECORD.

Mr. HAYS. I think the gentleman from Illinois makes a fair statement and I do not think that amendment is going to pass, because I have a substitute for that which will make the vote public but which will do it in an orderly and definite way so that you will not have some clerk back there and be wondering whether he is writing down the right name or the wrong name.

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

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

Mr. GROSS. I would not think the distinguished minority whip would want to send that letter until he got the postal reform bill through.

Mr. HAYS. May I say to the distinguished gentleman from Iowa that if we have this bill around for another week or so—and I do not know what my distinguished friend from California is going to do—but if this thing keeps on the way it is going, I can tell you what I would do in his place. I would move that the Committee rise some evening and then I would forget to ever move that they go back into the Committee of the Whole.

Mr. ANDERSON of Illinois. Mr. Chairman, I move to strike the requisite number of words.

(Mr. ANDERSON of Illinois asked and was given permission to revise and extend his remarks.)

Mr. ANDERSON of Illinois. Mr. Chairman, I was not able to be present on Monday, and therefore I could not extend my congratulations to the distinguished gentleman from California (Mr. SMITH) and the distinguished gentleman from California (Mr. SISK) for the fine work that they have done in bringing to the floor this particular bill.

However, I find myself with the same feeling as my colleague on the committee, the gentleman from Missouri (Mr. BOLLING) that as good and effective a piece of legislation as I think this is, I believe it can be improved and, where it should be, we owe an obligation to offer those amendments that would improve it.

I want to express my appreciation to the gentleman from New Jersey (Mr. THOMPSON) who has offered this amendment in good faith on minority staffing.

I have the feeling that there has been an effort on the part of some to ridicule this as an unworkable and completely impossible idea and yet, if I had the time, and I do not in the brief 5 minutes that are allotted to me, I could point out that, for example, as long ago as in March 1963, we had a very distinguished group of political scientists testify before a subcommittee of our House Republican conference, and they made a statement at that time that I think is worth quoting now:

"Some have argued that an increase in minority staffing of congressional committees would jeopardize the recent 'professionalization' of these staffs. We do not believe that is true. There is no reason why such 'professionalization' cannot take place in a bipartisan framework. What is needed are professional staff members separately responsible to the majority and the minority. The demand that a substantially larger portion of the professional staff be responsible to the minority members is wholly reasonable and within the best democratic traditions."

And I listened with great interest to the distinguished dean of the House when he said a few moments ago that the matter of staffing is not a matter of arithmetic; it is a matter of competence—and I agree. There is nothing in the amendment offered by the gentleman from New Jersey (Mr. THOMPSON) that is in the least inconsistent with that idea. I wonder why it is that the suggestion has been made this afternoon that when the majority controls all of these funds, and has the responsibility for the hiring, that they are in every instance going to hire competent, professional, nonpartisan people, but that if the minority is granted control over one-third of the committee funds, that somehow or other they are then going to resort to partisan chicanery, and they are going to hire political hacks, they are going to hire incompetents who are there only for the purpose of stirring up partisan controversy.

I think, as the gentleman from Minnesota (Mr. FRASER) said yesterday, that the whole intent is, within the best traditions of the democratic process, to bring out those differing responses, those differing ideas that can be used on the anvil of debate so that we hammer out the very best possible legislation that we can within the committee room, and then here on the floor of the House.

So to suggest that we are going to resort to partisanship if we are given responsibilities for one-third of the funds allotted on the investigative staff of the committees, completely distorts what the gentleman from New Jersey (Mr. THOMPSON) is trying to do.

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

Mr. ANDERSON of Illinois. I yield to the gentleman from Illinois.

Mr. ARENDS. Mr. Chairman, in view of this interesting debate on this amendment, I hurriedly did a little checking, and I note that the Committee on Government Operations has 75—I repeat—75 employees, out of which three are minority and one a clerk. That is something to chew on.

Mr. ANDERSON of Illinois. I thank the gentleman from Illinois, because it illustrates the very next point that I want to make. It is not that we in the minority feel that these people on the majority staff are going to be unwilling to help, but it is that we do do not feel that they are responsive to us—you do not feel the same freedom and the same ease that I think the Members on the majority side feel when they go to a member of the staff and say, "I would like to have you research this particular point." It is very interesting to sit here, as I have done for the last day or two now, and hear people who have served in the House, as has the gentleman from California (Mr. Moss), for 16 years, and say, I have never known an instance where a member of the committee staff has refused any member of the minority every cooperation."

Well, for one thing I do not suppose he has gone around, like Hawkshaw, with a spyglass, looking for any of those instances where maybe the minority has not always been able to get all the information that it felt it needed to research a particular point.

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

Mr. ANDERSON of Illinois. I mentioned the gentleman's name, and of course, I will be glad to yield to the gentleman.

Mr. MOSS. I only observed that the distinguished minority whip did a thorough job in checking, and who they are assigned to and their political affiliations. If he continued that, he might have learned that there are a great many more of his party working within the committee than three.

Mr. ANDERSON of Illinois. Let me close by saying that in the final report of the Joint Committee on the Organization of Congress, which was issued back in July of 1966, they said this:

"It is fundamental to our legislative system that the opposition have adequate resources to prepare informed dissent or alternative courses of action. All sides of an issue need to be forcefully presented."

That is all, Mr. Chairman, that this amendment on minority staffing is designed to do.

Mr. THOMPSON of New Jersey. Mr. Chairman, I move to strike out the last word.

(Mr. THOMPSON of New Jersey asked and was given permission to revise and extend his remarks.)

Mr. THOMPSON of New Jersey. Mr. Chairman, I address myself to the amendment offered by the gentleman from Michigan to my amendment, and in the course of doing so I would like to make this comment—there are a great many distinguished committees of this body and each and every one of them has a jurisdiction differing from the other; although there is some overlapping.

But every one of them is composed of different Members with different experiences, with relation to staff.

I did not intend in the slightest, as the dean of the House implied, for this to be mischievous. I simply remember, and perhaps too well, my days in my State legislature as the minority leader when we had absolutely nothing. When my party came into the majority I persuaded them that the minority should have some staffing. Since then they share, as about this amendment would do, and everything works well.

I might point out, on the Committee on Education and Labor, I am chairman of the Special Committee on Labor. The distinguished member, my good friend, the gentleman from Ohio (Mr. ASHBROOK), is the ranking member. I defy anyone to find two more divergent political philosophies or political voting records than the philosophy and voting record of my friend the gentleman from Ohio (Mr. ASHBROOK) and myself.

We have had nothing but complete and total cooperation, notwithstanding our partisan differences.

Perhaps I am not so confident, as a great many of my friends on this side of the aisle; that we can always remain in the majority? Then, if we are in the minority, that we should have nothing—that we should trust no one appointed by the other side of the aisle? I do not believe this. Certainly, I expect partisanship. Certainly, I would like, however, to see more sophisticated minority views and more thoroughly discussed issues in the committees and a better rapport in the national interest between the majority and the minority, without taking in the slightest away from the responsibility, in which I do believe in the right of the majority to rule. Because, as the gentleman from New York (Mr. CELLER) said, that is the way the people want it.

I am willing to take my chances, and the Lord only knows that I cannot stand in this well and claim to be nonpartisan—because I am not.

The gentleman from Michigan has what I characterize as a cute idea—one-third of the minority, one-third for the majority, and the last third to fall to the Chair.

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

Mr. THOMPSON of New Jersey. I am very glad to yield to the gentleman.

Mr. Moss. If it is so cute perhaps the gentleman could tell us how the remaining two-thirds is to be directed?

Mr. THOMPSON of New Jersey. Is it not obvious to my friend from California that if one-third goes to the minority, if you are in control, the other two-thirds goes to the majority? Are you afraid of that?

Mr. Moss. It is not obvious to me, no more than it would be——

Mr. THOMPSON of New Jersey. I will not yield any further.

Mr. Chairman, I am not really much of a mathematician, but I think I can understand this. I do not say the gentleman from California, the gentleman from New York, the gentleman, my friend, from Ohio, who has done precisely on the Committee on Accounts what he says he has done, I do not say that their ideas are invalid, nor do I put them down. I simply say that we have a difference of opinion on this subject. I certainly respect their point of view. They disagree with mine thoroughly and articulately, and are so entitled. But that does not mean that they are impugning my motives.

I think the amendment of the gentleman from Michigan is in fact and in effect frivolous and should be defeated. That will reduce the question to my amendment. Those who agree with it, please vote for it. Those who disagree with it, please vote against it and let the House work its will.

Mr. SCHWENGEL. Mr. Chairman, I rise in support of the amendment offered by the gentleman from New Jersey.

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. SCHWENGEL. Mr. Chairman, I wish to speak for the amendment offered by the gentleman from New Jersey (Mr. THOMPSON) and against any amendment to the amendment. The gentleman from New Jersey has made crystal clear the objective of his amendment. I am totally in sympathy with his approach to a solution of a legislative problem.

I have said many times that I respect this Congress because there is in it more capability and capacity in the sense of dedication on both sides of the aisle than in any Congress before in history. But it has not had a chance to come through, and one of the reasons it has not had a chance to come through and function at its best is because the minority has not had a chance. What the gentleman's amendment proposes will give us a fighting chance.

I salute the gentleman from New Jersey for his statesmanship here in this House. As I have spoken in the well of statesmanship, and many Members of the House have done so, also, I have praised the leadership on our side for having continued to study the minority staffing problem. Under the leadership of the gentleman from New Hampshire (Mr. CLEVELAND) with whom I served as a member of the Public Works Committee, we had a real and genuine staffing problem, and also on the House Administration Committee. I recognize his capability and his fairness. He has done a study of this matter. He has written an article and has a chapter in a book entitle "We Propose" on the need for increased minority staffing.

Mr. Chairman, I ask unanimous consent to have it inserted in the RECORD at this point so it can be read by all Members of the Congress.

The CHAIRMAN. Is the statement that the gentleman is requesting to be printed in the RECORD his own statement?

Mr. SCHWENGEL. Yes.

The CHAIRMAN. Without objection, it is so ordered.

Mr. HAYS. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman from Ohio will state his parliamentary inquiry.

Mr. HAYS. I thought the gentleman said that it was the statement of somebody else.

Mr. SCHWENGEL. It is.

The CHAIRMAN. The Chair inquired of the gentleman, if it was his own statement. Is it the statement of the gentleman in the well?

Mr. SCHWENGEL. It is not.

The CHAIRMAN. Then the gentleman from Iowa will have to request permission for that statement to be printed in the RECORD when we go back in the House.

Mr. SCHWENGEL. At the proper time I will make that request.

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

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

Mr. HAYS. The gentleman made a very interesting statement. He said that he thought the amendment, which would give the minority one-third of the employees would give them a fighting chance. What percentage does the gentleman think he would have to have to give them a chance?

Mr. SCHWENGEL. Well, my proposal is—and it is in bill form before the Congress and it is the result of rather thorough study—it would be at least 40 percent, but I am willing to buy this. I think it is a significant step forward.

If we want to make this the kind of effective Congress that it can be and should be, I think we ought to take the amendment without amendment. It sets a wonderful precedent for the House.

It aids and abets also and is central also to what I call the adversary system that we are used to in America. Better opposition—and I think this is true and political scientists agree on it—produces better legislation in the finality. If the opposition has adequate staff to propose good legislation, this forces the majority to produce a superior product, and then we will have to choose the better of two ideas or propositions which are presented.

So I think if we want to improve the Congress and its opportunity to function at its best, we have got to give the minority a chance. This amendment is sound, because it does not interfere in situations such as the gentleman from New York referred to in his committee, where they have recognized the minority rights and given the minority an opportunity to function properly, and out of his committee has come some pretty significant and meaningful legislation through the years, and I think it is an example that it works.

So, Mr. Chairman, I sincerely hope we will give sincere consideration to the amendment, and that we will vote against the amendment to the amendment.

Mr. PODELL. Mr. Chairman, I move to strike the requisite number of words.

Mr. Chairman, I am opposed to the amendment to the amendment offered by the gentleman from Michigan for precisely the same reason that I have opposed the amendment offered by the gentleman from New Jersey. It strikes me we are embarking upon a day or a week or perhaps weeks of legislative reorganization and we hope legislative reform, and it is truly a great day for our House. But to bog down the debate on true legislative reform with an argument over the patronage system to me seems to be completely inconsistent.

The notion that by adding more Republican Members to the committees, we will have a more representative type of government representing the people of our country is, inconsistent both in fact and in ideology. I think we should look forward to having a type of legislative in which the staff of our committees will be hired on merit and ability of men to serve rather than on their political party. Certainly we will be departing from what I consider to be legislative reform to go back to a system in which party application is more important than merit.

I had served 14 years in the State legislature, 12 of them under Republican control. We were lucky to be given a seat in the House at that time. I think that was unfair. What we should do is strike from our rules any question of political party insofar as employees or staff are concerned.

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

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

Mr. HAYS. Mr. Chairman, the gentleman knows, being a member of the House Committee on Administration, that we have in effect for all intents and purposes a rule that requires the majority and the minority to get together and negotiate out the status of the staff. It does not tie it to any hard and fast percentage. The gentleman is also aware that we do not give them any money until they both come in and say they are satisfied and that the negotiations have been successfully concluded.

So I am agreed in principle with what the gentleman is saying. I merely made a speech about this proposed amendment, because I wanted to show how consistent the minority would be when it came to truly dividing up the jobs. They want a third of them here, but they do not want us to have any of them downtown. I do not say all of them, because the distinguished gentleman from California, I think, made a very brilliant presentation.

I agree with him. He is one exception, but I would say those who vote for this amendment on the minority side ought to, if they really believe it, then vote for my amendment, and I simply offer it in the spirit of finding out who is consistent and who is being political.

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

Finally we must give additional credence to the possibility of having the Republican Party, should this amendment prevail, having filled its one-third complement, and then a man appearing before the committee with all the expertise the committee absolutely requires, and being denied the opportunity to serve merely because the Republican complement has now been completed.

For these reasons we should go back to the business of reforming our legislature without reference to the patronage system.

Therefore, I oppose both amendments.

Mr. RIVERS. Mr. Chairman, I move to strike the necessary number of words.

Mr. Chairman, this amendment should be defeated.

We have the Armed Services Committee. We do not even have a minority committee room in our committee. I do not have any idea of the political feelings of the staff. I do not know which party they belong to. I understand the chief counsel is a Republican.

What we are interested in is security. How in the name of goodness could we segregate our staff and find out what their beliefs are and then go out and get security clearance on a lot of people? What we want are people who are dedicated to America.

We never discuss that. If anybody raises the question of politics in our committee he gets shouted down. It has seldom happened—perhaps once since the committee was formed.

We could not do a thing like this. This is ridiculous. It is absurd to go out here with 30 percent this and 30 percent that. It just could not happen.

Mr. ANDERSON of Illinois. Mr. Chairman will the gentleman yield?

Mr. RIVERS. Of course, I yield to the distinguished gentleman from Illinois.

Mr. ANDERSON of Illinois. I appreciate the complete sincerity of the gentleman now in the well, and I am sure he is stating the absolute fact when he says he is not aware of the political affiliation of those employed on the staff of the Armed Services Committee. That is the way it should be.

I wonder why it is that the gentleman, as so many others on this side of the aisle this afternoon, has jumped to the conclusion that if the minority have the responsibility of one-third of the funds for the investigative staff they would be more inclined to regard partisanship as the main consideration in hiring somebody? I believe the gentlemen ought to give us credit for having the same desire as they have to maintain a nonpartisan staff on a committee concerned with national security.

Mr. RIVERS. I am delighted the gentleman asked that. We have an investigative committee, and we are interested in getting the job done. We do not ask the employees what their political persuasions are.

To get out here and say, "I will take one-third of you, and I will take one-third of you, and I will take one-third of you" is the most ridiculous thing I have ever heard of.

Never having been exposed to it, I do not know what you are talking about.

Mr. ANDERSON of Illinois. Mr. Chairman, will be gentleman yield further?

Mr. RIVERS. Of course I yield further.

Mr. ANDERSON of Illinois. It is not a question, as I tried to point out earlier, of partisanship. It is a question of having the minority secure in the feeling that they have a portion of the staff who are responsible to them.

Mr. RIVERS. We do not have a minority on our committee. I do not know what this talk is all about. We have a group of dedicated Americans who are trying to keep this country free. We could not live under this amendment.

Ask the distinguished minority whip. I do not know what this talk is all about.

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

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

Mr. ARENDS. What the gentleman from South Carolina says about our committee staff is absolutely true. I myself, the same as the gentleman, do not know whether they are Republicans or Democrats. I have never bothered to ask, because we have one concern on that committee, and that is what is best for the United States from the standpoint of our military posture.

Mr. RIVERS. I have observed one thing. We adopt our rules and we live by them. Whenever anything comes up, I follow the rules of the House. I go and talk with the gentleman from Illinois (Mr. ARENDS) who represents the minority, and then we decide what we are going to do in the committee. We have never heard any more about the minority. We could not live under a silly thing like this. It just could not be done.

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

Mr. RIVERS. Of course I yield to the gentleman from Georgia.

Mr. BLACKBURN. I appreciate the gentleman's yielding. I must say I admire the way in which the gentleman's committee operates. Unfortunately, all the committees of the House do not have that same commonality of purpose and method as the gentleman's committee.

Mr. RIVERS. Let me answer by saying:

"And while the lamp holds out to burn,
"The vilest sinner may return."

We may be prophets without honor.

Mr. BLACKBURN. If the gentleman will yield further, I would say that on our committee we have very fine staff people on both sides, the minority as well as the majority. I can assure the gentleman that on the Committee on Banking and Currency everything in the committee becomes a partisan issue to a very distressing degree. If every committee operated like that of the gentleman in the well, this amendment would not be necessary, but unfortunately I find that they do not, and therefore I support this amendment.

The CHAIRMAN. The time of the gentleman has expired.

By unanimous consent, Mr. RIVERS was allowed to proceed for 1 additional minute.

Mr. RIVERS. Of course, I do not question the gentleman, but I just never sat on a committee like that, and if it is as you say, then go ahead and pass it. We will have trouble living under it, but if it will change some of the things that you say exist, go ahead and pass it. I cannot live under it, but go ahead and pass it. We do not need it. I thought this bill here was for the purpose of expediting the business of the House. If there ever came a bill before this House that will foul it up in more ways than a country boy can go to town, I have not found it. I do not know when we have had one like this.

Let me tell you something else. Take the $20 billion authorization bill that we reported out of our committee. It would take us so long to get that bill out of committee that I think I could retire on that one bill in our committee if you followed out some of the things that are being adopted here. The thing to do as the gentleman from Ohio (Mr. HAYS) said, is to give this thing a respectful burial and forget it.

Mr. SISK. Mr. Chairman, I move to strike the last word.

I will not take the 5 minutes. I rise to see just where we stand. I have had a number of compliments from Members that we have not attempted to cut off time, and I am not here attempting to cut off time, but we have been on this amendment now for quite some time yesterday afternoon and today. All I am seeking to do here is to determine how many speakers we have left and see if we can get unanimous consent for a time certain for a vote this afternoon, because there are Members, I am sure, who would like to attend to other business over the weekend. How many Members desire to speak, so we can have an idea of what is possible?

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

Mr. SISK. I yield to the gentleman.

Mr. GIBBONS. All I want is 2 minutes. I will not ask for 5.

Mr. SISK. Mr. Chairman, I ask unanimous consent that we vote at 4:20 with a reservation of 5 minutes for the gentleman from Missouri.

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

Mr. ANDERSON of Illinois. Mr. Chairman, reserving the right to object, I did not hear the time.

The CHAIRMAN. The gentleman will state the time again.

Mr. SISK. Mr. Chairman, the unanimous consent request was that we vote at 20 minutes after 4, with 5 minutes reserved for the gentleman from Missouri who would like to speak on it.

The CHAIRMAN. On the pending amendment before the Committee of the Whole and all amendments thereto?

Mr. SISK. That is correct.

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

There was no objection.

The CHAIRMAN. The Chair recognizes the gentleman from Indiana (Mr. JACOBS).

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

Mr. JACOBS. Mr. Chairman, I take this time to address myself to the remarks of the gentleman from Illinois because he seemed somewhat puzzled by the response from the previous speaker in the well.

The system that is advanced here by the previous speaker in the well is known as the "angel system of government." Those who are above politics do not need rules. Laws are not needed in a society of angels. But maybe, just maybe, Congress does not consist of angels. Therefore, I urge rule by law here, rather than "rule by man"—even "the Man." That is why I support the amendment by the gentleman from New Jersey. Goodwill is a fine thing. But just in case we are dealing with men and women here, and not angels, let us put fair play in writing. That way we will be sure not to forget. I think committee chairmen would find they could live with it, perhaps not live it up so much. But do not

shed a tear. Life can go on—maybe even be beautiful—for more people.

The CHAIRMAN. The Chair recognizes the gentleman from Michigan (Mr. DINGELL).

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

Mr. DINGELL. Mr. Chairman, this discussion appears to be getting cast in terms of partisanship. I do not think it is partisan at all. Our goal here is to have a workable set of rules under which this body may operate. The fragmenting of any staff is extremely bad. I think every member of every committee should be able to call to the fullest extent upon members of the committee staff. I recognize the need for minority staffing.

Mr. Chairman, I would call the members of the Committee's attention to the committee language which appears on page 75 of the bill and which sets out what we should have in the way of committee staff. It says:

"(3) The professional staff members of each standing committee—

"(A) Shall be appointed on a permanent basis, without regard to political affiliation, and solely on the basis of fitness to perform the duties of their respective positions;"

That is what the committee staff should be, whether it be professional or investigative, and any language which would change that fundamental concept would usurp and would inject a partisan viewpoint and any partisan viewpoint in the hands of the staff would be bad.

The CHAIRMAN. The Chair recognizes the gentleman from Florida (Mr. GIBBONS).

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

Mr. GIBBONS. Mr. Chairman, before we go further, let me read. The Thompson amendment is on page 23, line 14, and reads as follows:

"The minority party of any such standing committee is entitled to, upon request, not less than one-third of the funds provided for the operation of that committee."

That means in a case where you operate largely on a bipartisan basis, where you operate with a chairman who is able to perform in that manner, you do not have to divide the funds and the minority, perhaps, would not ask for them.

Mr. Chairman, I serve on the Subcommittee on Accounts of the House Administration Committee and there are committees where there is no problem like this. But, there is definitely a problem here and in my opinion the long debate which we have had on this subject has pointed it out.

Mr. Chairman, I would urge and remind my fellow colleagues on the majority side that the tables can always turn but I hope they will not turn. However, I think it would be a good idea to set a constructive precedent now. I urge the adoption of the Thompson amendment.

The CHAIRMAN. The Chair recognizes the gentleman from New York (Mr. LOWENSTEIN).

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

[Mr. LOWENSTEIN addressed the Committee. His remarks will appear hereafter in the Extensions of Remarks.]

The CHAIRMAN. The Chair recognizes the gentleman from Iowa (Mr. SCHWENGEL).

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

Mr. SCHWENGEL. Mr. Chairman, I rise in support of the amendment without amendment. The minority staffing provisions of the bill be stricter in order that the spirit of the new rule cannot be violated. I assure the members of the Rules Committee which reported this bill that I appreciate their work on this aspect, but I and several of my colleagues of both parties have discovered a loophole in the proposed rules which we believe must be plugged.

The minority party has been severely hampered in past years, particularly with the increase in the workload and the complexity of our problems, because of inadequate staff on the committees. As a group of distinguished political scientists has said:

"To deny the Minority in Congress access to adequate representation on Committee staff eliminates the opportunity for a minority to act responsibly after a careful examination of the problems under consideration."

The minority party has been forced to act with a lack of adequate data and evaluation in several subject areas, and has, as a result, often been unable to offer complete and complex alternatives to legislation.

The members of the Rules Committee have evidently seen the need for an active and competent loyal opposition in order to improve our alternatives, and they have seen fit to take a step in the direction of solving the problem in the current bill. As the chairman of a Republican conference subcommittee which studied the problem of minority staffing, I have become quite well acquainted with the subject, and I and several of my colleagues, particularly my fellow Republican Mr. CLEVELAND and two of our Democrat counterparts, Mr. THOMPSON and Mr. WAGGONNER have discovered some cracks in the wall, and we are working to fill them with this amendment.

Though it is true that there are no minority staffing problems on many committees, there are some which have proved unacceptable. Specifically, the problem is that the staff hired by the minority is subject to the veto of the entire committee, which gives the majority party the power to deny competent personnel to the minority. This flaw is unacceptable, as, I am sure, the majority party would agree if the minority were to have a veto over its staff. I would hasten to add that the present majority party may not always enjoy such status.

Our amendment provides for the separate hiring by either party of the allotted number of staff personnel. Neither party will have a say in whom the other shall appoint to its professional or clerical positions. This provision would be extremely helpful in the minority's attempt at fulfilling the role of a loyal opposition, thereby contributing to the upgrading of the legislation which would result from an improved and more dynamic adversary system.

This change is relatively minor, particularly in view of the enormous benefits which would accrue. The current situation, in which the majority has a veto power, distresses me, and I ask your support in changing the bill to permit the minority sole hiring and firing power over the minority staff. This amendment stems from a bipartisan effort and is supported by a broad spectrum of the Members. I ask you to join us in this effort.

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

Mr. FOUNTAIN. I rise in opposition to both the Thompson and Dingell amendments. I think this idea of allocating at least one-third of the staff of each committee to the minority is a dangerous precedent, regardless of which party might now or hereafter be in control of the Congress or either of its branches.

If there are committees where the minority is inadequately staffed to assist it in carrying out its responsibilities to the people, then we should do something about the situation on those particular committees. But let us not saddle all of the legislative committees in the Congress with two separate and distinct staffs. Where any minority, whether they be representatives of a political party or within a political party, needs staff help to enable them to get their job done, they should have it, and on the vast majority of the committees in the Congress, I am told that they do have it.

I happen to have the privilege and responsibility of chairing an investigative subcommittee of the Committee on Government Operations. Fortunately, under present circumstances, with the splendid minority membership we have on that subcommittee, I would have no fears of their unwise use of any additional staff they may need. We have wonderful cooperation on that committee, and a nonpartisan experienced professional staff. The gentlewoman from New Jersey (Mrs. DWYER) is the ranking minority member of our subcommittee and of the full Committee on Government Operations. We also have among the minority the gentleman from Ohio (Mr. BROWN) and the gentleman from Michigan (Mr. VANDER JAGT). They are not only among our most able and competent members, but they have been nonpartisan in their labors. Ours has been a nonpartisan committee.

It has not mattered which administration has been in power. We have endeavored to exercise our surveillance responsibilities over the agencies under our jurisdiction without regard to the political affiliation of their heads, or of the party in power. I think this has been substantially true with every other subcommittee of the Committee on Government Operations.

Let me emphasize—ours is an investigative committee which requires experienced nonpartisan professional people whose concern is objectivity and whose dedication is to honest and efficient government service. Our investigations are the responsibility of the majority of the members of that committee, and especially the members of the majority political party. For one subcommittee or a committee to have two separate investigative staffs which may feel obligated to oppose or check on each other and make separate investigations could result in an extremely costly and unwieldly situation.

Whether the professional staff members be Republicans or Democrats, no committee can do an adequate job unless the members of a staff work together. This has been the case on our subcommittee and the staff have been accessible to all members of the subcommittee—Democrats and Republicans alike. In addition, there is the minority staff which has limited responsibilities—primarily to assist the minority members. And if a particular committee has not provided adequate staff for the minority for that purpose then we should do something about that particular situation.

On the Government Operations Committee, for example, I feel sure that the gentleman from California (Mr. HOLIFIELD), who will be permanent chairman of that committee during the next Congress, if our party is still in power—and other members of the majority party, will cooperate with the minority members to the end that they have adequate staffs. The distinguished minority leader of our committee, the gentlewoman from New Jersey (Mrs. DWYER) will have no problem in this respect. I am sure she would treat us the same way. The House Administration Committee has helped this situation and will, I am sure, continue to do so where there are justified complaints. If inequities exist and are not corrected by the committee themselves, then the House can act.

I am satisfied that no member of the minority of the subcommittee which I happen to chair, will contend that he or she has not had full access to the professional staff of our subcommittee in addition to their own minority staff, and all of the records and facts uncovered by the full committee staff. While we have had wonderful relations with the splendid members of the minority party now serving on the Government Operations Committee, I am fearful that an increase in personnel in excess of the actual needs of a minority of whichever party, regardless of which political party may be in control of the Congress, could well lead to a lot of un-

necessary trouble, confusion, and even embarrassment to the minority members, as well as to the Full Committee. You see the majority members have no special staff. The staff are actually supervised by committee chairmen on behalf of the full committees. So in a way, the minority already have an advantage over the other members.

I think all of us who have had chairmanship responsibilities on investigative committees, can well appreciate the inherent dangers of opening the door of opportunity to partisanship among staff members. It took us on the Government Operative Committee years to get this kind of staff. They are hard to keep. They are dedicated to the Congress and to the members of the committees on which they serve. I can not speak as strongly about legislative committees as I can about the Investigative Committee on Government Operations; but on that committee, I am satisfied there should be—in fact effective action requires—cooperative understanding not just among all committee members, but between the staff seeing the full committee and the limited staff selected to serve just the minority. It is an erroneous impression to conclude that because one political party is in power, the staff selected by the majority party serves only the majority. They serve all of the members, while those selected primarily to assist the minority serve the minority. That is as it should be.

Let me emphasize again that I strongly support an adequate staff primarily for the minority members on a committee to assist them in research, in the preparation of their own views, and so forth, but not the right to "at least a third" of the entire staff on a committee or such a large staff that it could well become a stumbling block to the efficient and effective assumption by the full committee or subcommittee of their responsibilities to both the Congress and the American people.

Again, if there are inequities or injustices, let us eliminate them. If the full committees do not do it, let us do it here in the House, but let us not saddle all the committees of the Congress, and this Congress with a new staff quota system which we may live to regret. The rules we are about to adopt may well be the rules of this House for many years to come. Let us be careful not to adopt an expensive and unworkable patronage staffing system. We have already had enough unhappy experiences with some of the antiquated rules we now have.

Although all of us are elected to the Congress as members of a particular political party, once we get here and are assigned to committees, as members of those committees, we have a responsibility to the entire Congress and to all of the American people.

I therefore urge my colleagues to vote against these amendments and wherever there are inequities, let us deal with them individually, without imposing upon every committee an expensive and rigid staffing system which is neither wise nor necessary.

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

The CHAIRMAN. The Chair recognizes the gentleman from Ohio (Mr. MILLER).

Mr. MILLER of Ohio. Mr. Chairman, during yesterday afternoon, and also today, we have heard a great deal of debate and discussion about a particular amendment. It seems that we have gone down the road quite a distance, and we are only on page 23.

If we are interested in really reforming and improving the operation of the legislative branch of the Federal Government we should get on with the business, because if we become bogged down with every amendment like we are today we undoubtedly will take the rest of the year just trying to unravel what we are entangling so quickly.

The CHAIRMAN. The Chair recognizes the gentleman from California (Mr. SMITH).

(By unanimous consent, Mr. SMITH of California yielded his time to Mr. BOLLING).

The CHAIRMAN. The Chair recognizes the gentleman from Missouri (Mr. BOLLING).

Mr. BOLLING. Mr. Chairman, the subcommittee that dealt with this matter for 15 months anticipated this debate, and it has heard nothing new, and there have been no surprises. We heard all of the same things said, almost, either in the open hearings or in statements presented to us in public and private and other fashion.

It is very clear that there is a very considerable division in the House, and an honest division, as to the way in which we should staff our committees.

Now, it is important to clarify a few things. I am sure more by accident than otherwise, a Member or two misrepresented the final report of the Joint Committee on Organization. The Joint Committee on Organization consistently held to the view which is expressed in its final report on page 22:

"In seeking to provide protection for the minority, it would be an error to divide the entire staff of each committee along partisan lines, or to require a staff allocation for the minority proportionate to its representation on the committee . . ."

The evidence, the testimony of those who have studied this the longest, and who are completely objective in their approach in that they are outside the institution, is that it is a mistake to go to a partisan staff.

It is a mistake in two ways.

First, it tends to exacerbate the natural divisions that exist in a basically two-party legislative body.

Curiously enough, to all of us who are partisan, the fact of the matter is that the public interest is not necessarily the sum of the reconciliation of the differences between the two parties. It may be something less—it may be something more.

But those of us on the subcommittee and the full committee recognize the validity of the point made, that the minority should be "protected."

It is ridiculous to talk of a committee staff as the only resources available to the majority or the minority. We all know that we have all kinds of resources other than those that reside here on the Hill. I, for example, can call on any economist in the United States, because I have been for 20 years a member of the Joint Economic Committee, and he will be delighted even to come to Washington to discuss a serious problem.

I have had that experience recently as chairman of the subcommittee of the Joint Economic Committee, I took a trip last fall to look at regional planning and housing. The best qualified staff member of the joint committee available to me was a Republican. We had a fine trip and we made a useful report.

I think we have lost our approach. As soon as you provide one-third for the minority, then you inevitably respond with two-thirds to the majority. This particular amendment goes to a particular kind of staffing. It is the kind of staffing that is taken care of not by law but by resolution, which is then implemented through a resolution of the Committee on House Administration. It is the special staff over and above the standard staff, and it is clear that the Committee on House Administration in a flexible fashion is taking care of the problem.

On the permanent staff the committee has a proposition which has the virtues of protecting the minority and yet leaves in the hands of the majority, which is responsible for the organization of the Congress and the organization of the committee, the final say.

In that language it is absolutely clear to any fairminded person that the standing regular professional staff of six shall include the minority chosen members. The only reservation is that they perform on good behavior—not only a policy question—but that they be people of good character and of proven qualifications.

This was the conclusion that was arrived at unanimously by the only group of people who heard any Member of the Congress who desired to be heard. We had open hearings and not as many showed up there as we had hoped—any more than there as many people on this floor as we had hoped.

It was a unanimous decision on a bipartisan basis. We are completely convinced that we came to a solution, as proposed by the Joint Committee on Organization, which will best serve the Congress and the Nation.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Michigan (Mr. DINGELL) to the amendment offered by the gentleman from New Jersey (Mr. THOMPSON).

The amendment to the amendment was rejected.

The CHAIRMAN. The question is on the amendment offered by the gentleman from New Jersey (Mr. THOMPSON).

The question was taken; and on a division (demanded by Mr. SISK) there were—ayes 78, noes 53.

Mr. SISK. Mr. Chairman, I demand tellers.

Tellers were ordered, and the Chairman appointed as tellers Mr. THOMPSON of New Jersey and Mr. SISK.

The Committee again divided, and the tellers reported that there were ayes 105, noes 63.

Mr. SCHWENGEL. Mr. Chairman, I herewith call to the attention of my colleagues and others a dissertation on minroity staffing authored by a distinguished Member of Congress Mr. JAMES CLEVELAND of New Hampshire, with discussion on congressional reform. They are pertinent and valuable for all who are interested in a more effective Congress.

[From "We Propose: A Modern Congress"]

THE NEED FOR INCREASED MINORITY STAFFING

(By JAMES C. CLEVELAND, M.C.) *

INTRODUCTORY NOTE

The adequacy of congressional staffing in a broader sense involves the continuing efficacy of Congress *vis-à-vis* the President. the survival of representative government is directly at stake.

In many areas of the world during recent years, we have witnessed a decline in the power of established parliaments and a shift of that power to the executive. The subordination of the power of newly established parliaments to the executive in the emerging nations of Africa and Asia underscores that trend. One of the most notorious instances of a decline in the power of an established parliament occurred recently in France, where the French people, with apparent willingness, accepted the transfer of important powers from the legislature to the executive.

It should be pointed out to those who can watch a drift away from representative government with equanimity, that it was such a trend which paved the way for the ascendency of Hitler. Lack of representative government is also a characteristic of the Communist-dominated countries of today.

The need for establishing new rules in Congress to insure the minority party an

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*Mr. Cleveland represents the 2nd Congressional District of New Hampshire. Before his election to Congress in 1962, he served 12 years in the New Hampshire State Senate where he was a Majority Floor Leader for four years, Chairman of the Judiciary Committee and, at various times, a member of eight additional committees. In Congress he is a member of the House Public Works Committee and was recently named to the Joint Committee on the Organization of Congress succeeding former Rep. Griffin, now a U.S. Senator. Mr. Cleveland's wife, Hilary, teaches Government and History at Colby Junior College for Women in New London, N.H., the Cleveland's home.

adequate supply of professional staff on committees is of overriding importance. It must be met promptly if Congress is to fulfill its constitutionally assigned functions as a co-equal branch of government.

This is a problem that has engaged and troubled many minds, inside Congress and out, in partisan and nonpartisan context, for many years. The work of this chapter is founded on much preceding labor by many hands as well as on my own experience and observations.

While it would be impossible for me to acknowledge everyone who has contributed to the development of this issue, I do wish particularly to acknowledge the work of the Honorable Fred Schwengel of Iowa, who was Chairman of the old House Republican Conference Subcommittee on Increased Minority Staffing, the predecessor to the present Task Force. I also wish to acknowledge the invaluable work of Miss Mary McInnis, staff assistant to the present Task Force.

The serious threat to an effective Congress, and therefore to representative government itself, which is posed by the lack of adequate staff for the minority has not been fully understood, even by some members of the minority. Interest and concern is growing, however, and the time is not far off when, I believe, the majority of both parties in Congress will realize what adequate minority staffing would really mean for them in terms of increasing their effectiveness—and that of representative government.

One of the best statements of the issue was published on March 15, 1963, by the Schwengel Subcommittee and signed by the following political scientists: Dr. Robert J. Huckshorn, Bethesda, Maryland; Dr. Howard Penniman, Chairman, Department of Government, Georgetown University; Dr. Franklin Burdette, Bethesda, Maryland; Dr. Brownlee S. Corrin, Goucher College, Baltimore, Maryland; Dr. George Carey, Georgetown University; and Dr. Russell Ross, University of Iowa. I quote it here in full:

"POLITICAL SCIENTISTS' STATEMENT ON MINORITY STAFFING

"The committee staff function at the congressional level is not being fulfilled. And a failure to do so is not only unfair, but it is a threat to the tradition of representative government. Responsibility for this condition falls upon the Democratic Party leadership in Congress.

"To deny the Minority in Congress access to adequate representation on Committee staffs eliminates the opportunity for a minority to act responsibly after a careful examination of the problems under consideration. Congressmen in this difficult and complex period of our history, requires access to data and evaluation in those subject areas to which they are given responsibility as Committee members. It is obvious that this work cannot be placed regularly with their own office staffs, which have functions very different from those of a Commmittee. It is obvious, in light of policy formulation patterns at all levels of government, that the adversarial technique of law and politics in this country requires a personal relationship in which a congressman can develop confidence with the professional staff members. This is why, of course, the President has a high degree of control over his White House staff, as well as at many policy-making levels in the Executive Departments.

"Some have argued that an increase in minority staffing of congressional committees would jeopardize the recent 'professionalization' of these staffs. We do not believe that this is true. There is no reason why such 'professionalization' cannot take place in a bipartisan framework. What is needed are professional staff members separately responsible to the majority and the minority. The demand that a substantially larger portion of the professional staff be responsible to the minority members is wholly reasonable and within the best democratic traditions.

"Congressional committee staff members are not intended to serve the same function as staff members in the Legislative Reference Service. Nor should they. The Committee staff must possess high levels of competence. It is equally important, however, that there exists mutual confidence between the congressmen and the staff members. This confidence is not possible when a minority party, be it Democrat or Republican (and there is always the possibility of reversal of role), does not have access to adequate and qualified professional staff members of its own selection.

"The existing position is more than unfortunate; it is a subtle denial of freedom of effective speech, of which Congress as a body purports to be justly proud. It hinders reasoned debate that alone can lead to just solution of legislative problems. It prevents the minority from carrying out its major democratic function of knowledgeable criticism.

"The country cannot afford gamesmanship or petty, cheap politics at the congressional level. Yet, we are witnessing an outstanding example of partisan pettiness in the denial to the minority in Congress the right to exercise its legislative function by refusing to grant it necessary staff support."

The issue has also engaged the earnest attention of thoughtful members of the present majority party. In his testimony before the Joint Committee on the Organization of Congress, Rep. John S. Monagan (D., Conn.), stated:

"The capacity of the minority to examine and criticize should not be abridged, but should be preserved as a basic strength of our system."[1]

In the course of these same hearings, Rep. David S. King (D., Utah), expanded this line of thought: ". . . a formula must be found for balancing the personnel of the committee staffs more equitably between the majority and minority parties. . . . In my opinion, the balance of personnel between the two parties on the committee staffs should more nearly approximate the division of party strength in the House itself. . . ."[2]

One more quotation will help set forth the urgency of the issue, Dr. James A. Robinson, professor of political science at the University of Ohio, writes:

"It is not fairness, however, that constitutes the most compelling argument for providing minorities with a staff almost equal in number with that of the majority. The best argument is that the improved performance of the minority members helps to strengthen the legislative way of life. If the majority party becomes increasingly aligned with the executive branch . . . then we must look to the minority to check the majority and in so doing to provide the necessary counterbalance to executive power. Hence, generous allocations of minority staffing are essential to the normative theory of Congress."[3]

The present situation is deplorable. Although precise figures on majority-minority divisions among committee staffs in the House have proven impossible to obtain, research into committee payrolls, conducted both by the old Schwengel Subcommittee and my own Task Force, establish a general ratio of about 10 to 1 in favor of the majority.

Some committees—*e.g.*, Armed Services, House Administration, and the Un-American Activities Committee—list no personnel as responsible to the minority.

One rough measure of the discrepancy in staffing is that counsel assigned to the minority often do not receive as much pay as majority counsel. Naturally, this creates difficult recruitment problems for the minority. There has never been any suggestion that minority members of Congress should be paid less than Congressmen belonging to the majority party, and the principle is precisely the same in the case of staff. It makes no more sense to pay minority staff personnel less for equal work than majority staffers than it would to pay less to minority Congressmen themselves.

In fairness, however, it must be conceded that minority leaders on committees do not aways press as hard as they should to obtain salary equity for minority counsel. This condition, however, merely reinforces the need to establish the equal pay principle by legislation.

Even in the cases of committees which do list staff members as assigned specifically to assist the minority, those employees are ultimately responsible to the committee chairman, who is always a member of the majority party. By that I mean that they cannot be hired without the chairman's approval; their salaries are subject to the approval of the majority, and often their physical location is determined by the majority. *Thus, nowhere in the House does the minority party have guaranteed to it an unobstructed conduit to information vital to the success of its adversary role under our two-party system.*

We Republicans, currently in the minority, are often accused of mere obstructionism and are charged with failure to come up with constructive alternatives. Under the extremely hampering conditions in which we must operate, it is remarkable that we have done as well as we have. When the majority party not only controls all committee personnel but, as is the case at present, has exclusive access to the vast resources of advice, information, and power in all the federal agencies, the minority party is at a terrible disadvantage. This is very bad for representative government, because it chokes off responsible criticism and seriously cramps the capacity of the public to find out what is going on so it can form independent judgments. The ability to reach sound policy decisions for the nation, both in foreign and domestic affairs, is critically hobbled in these circumstances.

In spite of its handicaps, the Republican Party is doing a creditable job in its present minority status in the House. This is reflected in the increase in the number of Minority Views and Supplemental Views by Republicans appearing in committee reports on various bills. These minority views perform a vital function under the adversary system and represent a valuable distillation of opposition views. Often they form the basis of future legislation or corrections to existing programs.

In my own Committee on Public Works, I use this vehicle quite frequently even when I am in accord with the general purposes of the particular legislation. They are the best means of establishing for the permanent record an assessment of flaws in generally acceptable legislation and, of course, they serve to expound detailed arguments in opposition to legislation deemed unacceptable.

They can be used quite dramatically to capture attention for minority positions that otherwise tend to be overlooked by the news media, which tend to concentrate on the activities of the majority party. I put into verse my supplemental views opposing the legislation authorizing an official mansion for the Vice-President.[4] This poetic device had never been used before in an official congressional report on a bill and that fact was what got the most attention. At the same time, however, my reasons for opposing the bill also received wide publicity that we couldn't afford it at this time and that it was singularly inappropriate to build a luxurious mansion for the Vice-President while the country was at war and our servicemen are badly housed in many parts of the country. After the bill was approved, the

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Footnotes at end of article.

President ordered an indefinite halt to the project, using much the same reasoning.

Minority views have frequently influenced the course of legislation. Notable examples include the Manpower Development and Training Act, which was almost completely rewritten on the basis of Republican proposals before it was passed; the Civil Rights Act of 1964; and Medicare, among many others. Minority views on the anti-poverty program and the Participation Sales Act have had great impact in the country and will almost certainly lead to future reforms, if not in this Congress, then hopefully in the next.

The Legislative Reorganization Act

The Legislative Reorganization Act of 1946 streamlined committee jurisdictions and reduced the number of standing committees of the House from 48 to 19. As a result of the Act, provisions for more uniform procedure were written into the standing Rules of the House, including the provision that each committee, other than the Committee on Appropriations "is authorized to appoint by majority vote of the committee not more than four professional staff members on a permanent basis without regard to political affiliations and solely on the basis of fitness to perform the duties of the office."

Rule XI further provides that:

"Professional staff members shall not engage in any work other than committee business and no other duties may be assigned to them."

In actual practice, both the spirit and letter of the law have been violated. (One of the most flagrant examples of such a violation occurred in my own Committee on Public Works when it was under control of the previous chairman, former Representative Charles Buckley of New York. We discovered that the committee payroll contained the names of nine persons who were never known to have done any work for the committee or had never even been seen in Washington. They were assigned to work for the chairman in his own Congressional District in the Bronx. I condemned the situation publicly and this exposé perhaps was a contribution to the chairman's defeat in a party primary.[5] With this defeat, the problem ended. Under its new administration the Public Works Committee is operating fairly once again and is one of the committees which gives reasonable, though not adequate, consideration to the minority membership in the matter of staff. Eight employees are assigned to the minority out of a staff of around 40. However the chairman insists upon paying minority staff members substantially less than majority personnel performing similar duties.)

I question the wisdom of ever incorporating into the standing rules governing any legislative body such specific language as that contained in Rule XI, which, to repeat, provides that each committee may appoint "not more than four professional staff members." Twenty years ago the authors of the Reorganization Act could not even foresee the need for a standing committee on Science and Astronautics (which was added in 1958. Today this committee, which must oversee one of the largest Government agencies, the National Aeronautics and Space Administration, with an annual budget totaling over $5 billion, operates with one of the smallest staffs in the House. Other committees have augmented their staffs through extra authorizations by the House Administration Committee for "investigative" or additional professional personnel. The Science and Astronautics Committee, however, continues to function with only four professional staff employees. In the words of one of the Committee's members:

"Anyone who has served on this committee and participated in the markup of the NASA authorization bill knows that, while the desire is there and the intentions good, there are instances when many members must inevitably conclude on a given item that they just don't know with assurance whether or not it is reasonable.[6]

But this is not the whole story. The Committee on Appropriations was carefully exempted from any ceiling on the hiring of employees; yet some of its members suffer from a shortage of expert assistance! The entire federal budget, program by program and agency by agency, goes through this committee—which assigns only one professional staff person to each of its subcommittees with the exception of the Subcommittee on Defense and Independent Offices.

"How does a member know that the post office needs so many trucks, or so many mailbags? How does a member know that a Coast Guard station is obsolete and should be discontinued? We have in the past had to use our common sense and rely on the people who have made a request. But if someone were to come to them and say: 'Do you know, or does the committee know, this or that for a fact?' the only honest answer we can give is, 'Well, this is how the executive branch justified their request.' "[7]

Without competent and adequate committee staffing, Congress is at a distinct disadvantage *vis-a-vis* the executive branch. Without such staff assistance, the overwhelming task of checking on the operation of government becomes impossible. And without checking the myriad details, Congress can only pay lip service to its constitutional duty of control over government expenditures.

By law, each of the standing committees is required to report the names, positions and salaries of all of its employees every six months. These lists are duly printed in the *Congressional Record*. Simple enough? Try ferreting out the physical location of all of these people!

"The student of committees," wrote former British M.P. Kenneth Wheare, "has to make a choice. Either he can try to hack his way through the jungle on foot, or he can try to get a bird's eye view of the terrain from the air. If he chooses the first alternative, the most he can hope for is to clear a portion of his territory; if he chooses the second, the most he can hope for is to produce a rough sketch-map of the whole area."[8] How true this is. Our Task Force has tried both approaches.

The push for reform of the minority staffing question is, and has been, hampered by two major underlying fundamental conditions, which must be reported.

First, there is an absence of any consensus among the members of either party as to the proper role of Congress in the 1960's. Should Congress concede its loss of initiative in policy-making and bill-drafting to the executive and become more of an agency for oversight of the administration? Or should Congress attempt to regain some of its initiative in the legislative process and be content with a general overseeing function? The question does not have to be answered to bolster the case for increaesd committee staffing, because either direction calls for expert assistance and independent sources of information to serve Congress. (Clearly, a national debate over the role of Congress in the twentieth century is in order. The Administration, the academic community, the press, and interested citizens throughout the country should join. This book is an attempt by House Republicans to get the dialogue moving in a meaningful and constructive manner.)

The second condition we found in the committee staffing situation is the prevalent abuse of committee staff people by individual members of both parties. To reiterate the injunction of Standing Rule XI:

"Professional staff members shall not engage in any work other than committee business and no other duties may be assigned to them."

Candor compels me to admit this rule is sometimes violated. Professional staff employees are sometimes commandeered to write speeches or do other chores for individual Members that are not directly connected with the business of the committee, to handle constituent mail on matters of no relevance to the committee, and even to engage in activities directly concerned with the re-election of a Member. We turned up a distressing number of instances in which committee employees were physically quartered, not in the committee staff room, but in the personal offices of committee members. (Part of this situation is undoubtedly due to space limitations, however. A staffer may be assigned to a Member's personal office in some instances because there is simply not room for him in the limited committee quarters. Another reason may be that, because of his committee responsibilities, the individual Member may wish to have his staff adviser readily accessible. This would be particularly true where the Congressman's office was located inconveniently far from the committee offices.)

There is also the fact that Members of the minority party have failed to prosecute actively the case for increased staffing. In an extensive survey of Republican Members' attitudes with respect to the work and staffing of their committees, we found roughly two-thirds dissatisfied with the performance of their committee in the exercise of oversight of the Administration. Yet, we are able to document a grand total of only eleven instances in which minority Members were denied requests for additional committee staff help! (One reason, undoubtedly, is that minority Members know from painful experience that it is pointless to make such requests because they have invariably been turned down.) This does not, of course, negate the case for better staffing for the minority; it *does* point up the educational job we have to do on our own side of the aisle as well as generally.

It is hoped that this chapter will form part of this educational process.

THE ADVERSARY SYSTEM

This writer, in common with most responsible political observers, believes firmly in the two-party system. The system has evolved naturally from the early days of our Republic as the best means for organizing disagreement in a diverse society.

The importance of the two-party system goes, indeed, far deeper than simply the "firm belief" of this author or of any other observer. The two-party system is the vital ingredient that has made possible the success of our government. Throughout our history, the interplay between two broadly based, widely inclusive national political parties has enabled the country to overcome, in large measure, those regional differences and conflicts between social and economic interests that, in many other democracies, result in the formation of numerous, specialized parties, none able to speak for the whole nation, or worse, to dictatorship.

The capacity of our two-party system to resist the divisive formation of effective third parties has been the salvation of America. Freed from the worst excesses of enervating factionalism, our country has been able to develop in freedom her enormous natural resources and to achieve fulfillment, in great measure, of the individual rights guaranteed by our Constitution. That document alone could not have provided this result without the proper instruments to carry in into effect. The impotence of mere documents is nowhere better to be seen, for example, than in the Soviet Union, where maximum tyranny reigns under the ægis of one of the world's most liberal written constitution. In our case, the most effective political instrument

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for the fulfillment of our Constitution's promise is the two-party system.

The evolution of the system followed logically from our Anglo-Saxon tradition of jurisprudence, which is the root of all American legal institutions.

It is based on the adversary system. The right to counsel and the right to be judged on the facts pertaining to the issue are rights that are stamped indelibly on the minds and hearts of the American people. Through the adversary system we get more information on which to base our judgments. Under ideal conditions, each side has complete freedom to develop relevant information and present its arguments. The end result is the production of the greatest possible amount of information, and therefore, the greatest possible understanding for those who must render decisions.

Much the same adversary technique is seen in business competition as well. Competition in business leads to better products at lower costs and to improved public understanding of the products themselves as well as the nature of business. Competition is the economic strength of the nation, and in the marketplace of ideas the principle is of equal importance.

This tradition is as applicable to a legislative body as it is to a court of law. Under free government, each party is permitted to present its views fully. Most important, the system protects the rights of minorities while allowing the will of the majority to prevail.

The success of the adversary system depends on the quality of the debate. To assure the highest possible quality, each side must have equal opportunity to marshal evidence in support of its positions. In a legislative body, it is just as essential that the minority party have sufficient staff assistance as it is for either party in a court of law to have proper counsel.

The present situation in Congress, as the staffing ratio proves, is deplorable with respect to counsel for the minority. When both Senate and House and the Presidency are controlled by the same party, the situation is at the point of maximum danger to representative government. When the minority in Congress is reduced to capitalizing on such mistakes as are made by the Administration (if it can find out about them), effective opposition (if there is any) must come from the ranks of the majority party itself. This is the present trend and it is a very unreliable state of affairs. The business of the Republic demands that the effective expression of minority views not be allowed to rest on the capricious, internal strains within the party that is charged with the responsibility of governing.

In this connection, I wish to mention a Republican-sponsored proposal to give to the minority party control of an investigative committee of the House whenever the majority party controls both houses of Congress and the executive branch. Sponsors of the bill are headed by Minority Leader Gerald Ford of Michigan, and include Congressman Robert H. Michel of Illinois, whose chapter in this book is devoted solely to a detailed explanation of the proposal.

Here I merely want to point out that the adoption of the Republican proposal would ease considerably some of the problems of a minority party seeking to fulfill its functions under the present state of affairs. It would help insure against whitewashes of wrongdoing and gross errors on the part of government officials.

While outsiders and members of the majority party may be forgiven a feeling of suspicion at Republican motives in making the proposal, in refutation of these I point out that there is good Republican precedent for the idea.

In 1923, when both the executive branch and both houses of Congress were controlled by the Republican Party, rumors of improprieties surrounding the leasing of the Teapot Dome oil reserve whirled through the Capital. As they grew to a point requiring formal investigation, Republicans prevailed upon Democratic Senator Thomas J. Walsh of Montana to take charge of the investigation. This is a dramatic example of a case in which Republicans gave to the Democrats control of an investigation into a major scandal involving high-ranking members of a Republican Administration. The results were salutary and of great benefit to the whole country. There should be formal provisions enacted so that this would always be the case.

(It should also be noted that the British House of Commons has a Committee of Public Accounts whose chairman is by tradition a leading member of the Opposition, usually a person who has been Financial Secretary of the Treasury. The committee is charged with responsibility for insuring that all public money is spent in the manner intended by Parliament. It promotes economy and efficiency and helps to maintain high standards of morality in all public financial matters.)

In this day and age, more is expected of a minority party than mere criticism, a political platform, and legislative debate. A responsible party must be one in which people have confidence and one to which they will entrust their destiny. It must be prepared to present, in reasonable detail, at least some practical alternatives to the hundreds and hundreds of complicated and technical issues confronting the country. Offering meaningful alternatives is no simple task. The development of such alternatives requires the services of specialists and technicians, men and women who have devoted their lives to concentrated study of a particular problem.

By the very nature of a Congressman's job, it is very difficult for most Members to become as expert as the problems require. They must be concerned with too wide a range of subjects to permit specialization. Many Members of Congress face still another problem. Most Congressmen feel that they simply do not have the time to study all legislative matters and administrative policies. Just to keep up with individual problems of constituents is a hugh task. Consider the following examples: A shortage of heating coal, fraud by mail, eligibility for a pension, the impact of a new law, a missing person, a family tragedy, a suspected crime, a missing pension check, harsh treatment at the hands of a government agency, the need for a job, a visa, citizenship for a relative or friend, the impact of a drought, a rate increase, a public transportation problem, a tariff ruling, informations concerning the workings of an obscure government agency, a man's draft status, taxes, naming a mountain, a hardship discharge, a promotion, a pay increase—the list is endless.

Besides answering a large volume of mail, greeting constituents visiting the Capitol, attending to the needs of their districts and their party obligations, Congressmen are called upon to exercise leadership and concern in almost every matter involving the federal government. Although some of these areas are beyond the immediate control of Congress, a Congressman frequently must act to rally public opinion or file strong protests on behalf of his constituency. He has an important role in reminding the often smugly insulated federal agencies that they are meant to be the servants and not the masters of the people.

Congressmen have personal staffs to help with some of their tasks, but some responsibilities cannot be delegated. Some commentators have suggested that it would be helpful to the legislative process to remove certain of these tasks from the Congressman's workload by establishing an Ombudsman-type office. This writer is strongly opposed to any such proposal. Dealing with constituent and district problems is the raw material of the legislative process. The Congressman, through the power conferred by his constituent's vote and acting, in a sense, as a trustee, can cut through red tape and keep our government responsive. Even more important is the fact that as he performs this function the Congressman becomes aware of problems which need legislative action.

Above all, however, a Congressman is a legislator. This most important function begins with his committee work. Although Congressmen are responsible for final judgments in the legislative product of their committee work, their acts are influenced in many ways by the work of the committee staffs. No significant legislation is produced without the aid of experts. The staff supplies the expertise necessary to reduce the extensive time which few Members of Congress can afford to devote to legislative duties. Under the direction and supervision of committee members, the staff suggests investigations, prepares their preliminary groundwork, and often influences their scope and direction. The staff selects witnesses and prepares lines of questioning. The staff collects mountains of data, checks facts, organizes and digests them into manageable proportions. The staff may generate or prepare special studies. Staff people often draft reports upon which the most pivotal committee decisions are based. In short, the staff does that essential spade and leg work few Congressmen have the time to perform.

The demands on a Congressman's time highlight the importance of good staff work. Implicit in this situation is the recognition that many Congressmen cannot devote as much time as they would like to supervising the work of their committee staffs. If this is so, it suggests yet another reason for adequate minority staffing: mindful of human nature, it is conceivable that improperly supervised staffs could exercise undue influence over the work of their committees. A good check on this, obviously, would be an alert minority staff.

Infrequently, the minority is blessed with offers of outside assistance. One memorable example occurred when a task force under the chairmanship of Representative Frank Bow (R., Ohio) and composed of Republican members of the House Appropriations Committee undertook a thorough analysis of the proposed budget for fiscal 1964. Maurice Stans, Directors of the Bureau of the Budget under President Eisenhower, and some half dozen former members of that agency, provided valuable assistance to the project. The economy drive which this effort spearheaded resulted in savings of $6.3 billion in the taxpayers of this country. It also permitted economy-minded Congressmen to vote for the tax cut.

It is interesting to note that when Congressman Bow first announced that he thought his task force could recommend substantial cuts in the budget, without damage to necessary programs, he was challenged immediately to itemize the proposed cuts. Congressman Bow refused because he feared that by thus forewarning agencies their public relations sections could man the ramparts and stave off a threatened economy drive by whipping up public opinion as only battle-tested bureaucrats can. I mention this here because it shows how important secrecy is in connection with legislative strategy. Obviously, a minority which relies entirely on a staff responsible to the majority, with lines of communication to the executive departments and agencies, is either naive or lazy or worse.

It should be noted here that where the minority is deprived of its own staff and where members are not as fortunate as Congressman Bow in receiving aid, there is always a temptation to turn to private interests for help. Without discussing the advantages and disadvantages of consulting special in-

terests in regard to legislation which affects them, I shall simply contend that any situation which forces minority Congressmen to turn to special interests for staff work is not in the best interest of sound representative government.

All Members do, of course, have access to the assistance of the Senate and House Legislative Counsel for bill-drafting, and to the Legislative Reference Service of the Library of Congress for research. The primary functions of the Senate and House Legislative Counsel involve the highly technical and specialized task of drafting legislation. The staffs of both offices are composed of qualified and dedicated personnel. The Legislative Reference Service operates exclusively as a nonpartisan research and reference service for Members of Congress. Its staff has grown steadily and in all probability will continue to grow with the increasing need of Congress for specialized research assistance with which to deal with the technologically induced changes in our society and economy. Assuming that Congress maintains a reasonable balance between the legitimate demands for staff assistance from these auxiliary sources and the actual capacity of the staffs to provide such help, it is the committee staff system itself on which Congress must principally rely. While organizations like the Legislative Reference Service greatly assist individual Members in their particular areas, they cannot substitute commitee staffs.

But the needs of congressional committees go beyond the question of sheer size of a staff and reach to the problem of making possible an effective distinction between majority and minority positions in order to facilitate meaningful floor debate and responsible problem-solving. As long as Congress is organized on the basis of a differentiation between majority and minority roles, even at the committee level, it is not realistic to expect adequate legislation to evolve from a "nonpartisan" staff arrangement.

The nonpartisanship of the 1946 Reorganization Act has not, as I have suggested, been a success. Some committee staffs in the House of Representatives are truly nonpartisan, not only in terms of party affiliation but in terms of serving members of both parties equally. On other committees, the principle of appointment and control of tenure by a majority of the committee has led to control of the staff by the Chairman and almost exclusive use of its time by the majority party. Even on the few committees which try to give equal service to members of both parties, it is evident that whoever appoints the staff also controls it. Today, the overwhelming majority of committee staff members are hired, supervised, promoted, and assigned duties by the chairman of the committees. When the workload of these committees is heavy, the staff naturally feels obliged to give preference to the needs of the majority members on whom they rely for their jobs. Consequently, one can understand why members of the minority party cannot always confide in or depend upon staff members responsible to the opposing party.

CONCLUSION

The case for increasing the staff available to the minority is overwhelming, in my opinion. It has been brought to the attention of the Joint Committee on the Organization of Congress, which is preparing its report and recommendations as this book goes to press. Very likely the Committee's report will have been issued before this paper is published. However, because many Members addressed themselves to this problem in the course of the Committee's extensive hearings and because our Task Force has worked closely with the Committee's staff, it is expected that the report will contain strong recommendations for immediate action to correct the partisan imbalance in committee staffing.

In discussing what should be done, I do not believe it is necessary to get into a numbers game and try to set up any specific ratios that will meet the problem. The work of every committee is different; accordingly, its personnel requirements are different. Moreover, staffing needs must change in response to new developments.

I strongly believe, however, that the minority on every committee should have the right to hire and fire its own staff personnel, set their salary scales, and locate them without prior approval of the majority.

Last year, minority members of the Public Works Committee asked permission to hire an economist to assist them in consideration of the extremely involved implications of the Appalachian Development Act and the Public Works and Economic Development Act then pending before the Committee. These programs involved many social and economic factors not normally within the purview of the Public Works Committee. We needed to have competent outside advice and counsel. The majority turned us down, and we had no recourse but to swallow this decision and get along as best we could. This is wrong. We should have been able to make our own decision on this point and hire the expert we wanted. While I have no illusion that the final passage of some bills would have been changed, greated public knowledge would have resulted from clearer delineations of portions of them, and it is likely that improvements in the legislation could have been made during the drafting of the bills in committee.

(Another example drawn from the Committee on Public Works is the fact that as of this writing more than eight months have elapsed since a new subcommittee was authorized for the purpose of supervising, overseeing, and investigating the new Appalachian Redevelopment Program and the Public Works and Economic Development Act. Committee members of both parties unanimously adopted the Resolution creating the new subcommittee. This failure to activate the subcommittee, while not directly applicable to the minority staffing question, is further illustration of the need for the minority to have an investigative arm of its own. In this particular situation, even the majority seems powerless to enforce its own formally approved decision. The minority has no chance at all.) (The subcommittee finally was activated July 13, 1966.—Ed.)

Frankly, I wish to state that this concern on my part does not stem entirely from the fact that I am a member of the current minority party. Although it is true we feel the brunt of this staff deprivation at the moment, I expect to feel no differently when my party is in the majority. Effective criticism from the loyal opposition is essential to good government, regardless of which party is in control. As far as I am concerned, the Republican Party has a commitment when it becomes a majority to see that the minority is provided adequate staffing.

FOOTNOTES

[1] Hearings, Joint Committee on the Organization of Congress, 89th Cong., 1st Sess., Part 1, p. 74.

[2] *Ibid.*, Part 4, p. 527.

[3] Robinson, James A., *Congress, The First Branch of Government*, American Enterprise Institute, 1965, Library of Congress Catalog No. 66–14193, p. 273.

[4] From Supplemental Views of Rep. James C. Cleveland on S. 2394, 89th Congress, 2nd Session:

"But over the hill and horizon
A light is beginning to burn;
Dissent is getting respectful again,
Thinking is taking a turn. . . .

"So courage my lonely colleagues,
Be of good heart and of cheer;
Minority views are sometimes read
And the public's beginning to hear."

[5] I had prepared an article for the *George Washington University Law Review*, which was not published due to the insistence of the faculty adviser that I omit a footnote naming the nine persons and monies received.

[6] Rumsfeld, Rep. Donald, (R., Ill.), JCOC Hearings, Part 4, p. 538 (1965).

[7] Conte., Rep. Silvio (R., Mass.), JCOC Hearings, Part 2, p. 278.

[8] Wheare, K. C., *Government by Committee: An Essay on the British Constitution*, Oxford University Press, 1955.

CREATING A MARINE RESOURCES CONSERVATION ZONE

(Mr. DON H. CLAUSEN asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. DON H. CLAUSEN. Mr. Speaker, on this opening of the first legislative day of the 92d Congress, I am introducing two bills which have as their purpose, the creation of a marine resources and fish conservation zone along the coast of the United States.

Representing a coastal region in northern California, I am acutely aware of the need for the type of legislation which I also introduced in the 91st Congress that will provide the kind of protection and management of our marine resources that is absolutely essential for the future.

Of equal concern, is the more immediate problem posed by the systematic intrusion into and plundering of our territorial fishing grounds off the coast of the continental United States by foreign fishing fleets. Whether, in the final analysis, we are successful in establishing a 50- or a 200-mile fishery conservation zone contiguous to our territorial waters will decide the ultimate livelihood of the American fisherman and the economic security of our communities.

Each year, the threat of our fishery is intensified by foreign interests and each year, the limits of our fishermen's tolerance rises closer to the boiling point. Nineteen hundred and seventy, on the north coast of California, was a particularly crucial year with the threat of a direct confrontation between American and foreign fishermen a point of genuine concern.

The problems with foreign fishing interests being encountered now in connection with the current salmon run off our east coast, once again point up the need for this legislation.

Mr. Speaker, in light of these escalating depredations of and intrusions into our off-coast fishing grounds, I believe it is imperative that we, in the Congress, move forward this year to establish a basic marine resources conservation zone to protect the American fisherman and preserve these vital resources for future generations to come.

I urge early hearings on this legislation in the 92d Congress and am hopeful that this matter can be resolved once and for all before a confrontation of major proportions takes place between our country and some foreign nation.

THE 18-YEAR-OLD VOTE AMENDMENT

(Mr. SHRIVER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SHRIVER. Mr. Speaker, today I am joining with colleagues on both sides of the aisle in introducing a joint resolution calling for a constitutional amendment enabling 18-year-olds to vote in State and local elections.

As we are all aware, the Supreme Court, by a 5-to-4 decision last December 21, upheld those portions of the Voting Rights Act of 1970 which lowered the voting age to 18 in presidential and congressional elections. At the same time, the Court ruled unconstitutional such a change in State and local elections as embodied in the act.

As is obvious, this confusing combination of decisions is expected to play havoc with the voting procedures of the 47 States which do not allow 18-year-olds to vote. Either these States must quickly enact their own constitutional amendments to allow these young voters to participate in State and local elections, or some form of dual voting methods will have to be designed. If, as is probable, each State adopts different methods of dual voting, future elections in our highly mobile society could be strangled by a jungle of procedural red-tape. This truly was not the intent of Congress.

In including the 18-year-old voting provision in the Voting Rights Act, Congress intended to extend the franchise to the 11.5 million 18- to 20-year-old citizens by means of legislation rather than the more difficult route of amending the Constitution. There were many, including myself, who disagreed with this method on constitutional grounds. There was considerable disagreement in the Supreme Court itself on this point, judging from the 5-to-4 decision and the five separate opinions comprising 184 pages.

Last year, during consideration of this measure I stated that I felt strongly that only States have the authority to determine voting qualifications, and that the only constitutional manner in which the Federal Government can take this responsibility is through an amendment to the Constitution. Article 1, section 2, of the Constitution states:

> The House of Representatives shall be composed of Members chosen every second year by the people of the several States, and the electors (voters) of each State shall have the qualifications requisite for electors (voters) for the most numerous branch of the State legislatures.

Since even the Court now agrees that the States are responsible for determining the qualifications of voters for the State legislatures, how can they not be deemed to be responsible for determining the qualifications of voters for U.S. House of Representatives elections?

At any rate, the Supreme Court has ruled, and the decision, however confusing and difficult to implement, must be carried out. In taking the stand I took last year, it was my opinion that my constituents should be given the opportunity to be heard on this issue through the only procedure under which they would be allowed to do so. That is, through the submission to them of a constitutional amendment. This is the procedure which was used for previous franchise extensions, specifically the 15th amendment, which gave voting rights regardless of race, color or previous condition of servitude, and the 19th amendment, which gave women the right to vote.

It is for these two reasons—to correct an unworkable electoral snarl and to allow the people to be heard on this issue—that I join in introducing this joint resolution. Our new, young voters, who have been granted half-a-franchise, should not be discouraged from utilizing this privilege because of confusing balloting requirements. At the same time, our State legislatures should be given a clearer picture of what is required in regard to these voters.

We have not accomplished the goal of enfranchising our well-informed, concerned youth with the method passed hurriedly last year. Thus, we must not go back and do it the way we should have in the beginning: a constitutional amendment. I urge prompt passage of this joint resolution by both houses, so that it might be submitted to the States without delay.

HOUSE JOINT RESOLUTION DESIGNATING THE WEEK OF MARCH 21–27 AS A "NATIONAL WEEK OF CONCERN FOR PRISONERS OF WAR/MISSING IN ACTION"

(Mr. SHRIVER asked and was given permission to extend his remarks at this point in the RECORD and to include extraneous matter.)

Mr. SHRIVER. Mr. Speaker, I am proud to join over 100 of my colleagues in the bipartisan introduction of a House joint resolution which calls for the designation of the week of March 21–27 as a "National Week of Concern for Prisoners of War/Missing in Action." It is our hope that by setting aside this week to enable the American people to express their concern and support for the more than 1,600 prisoners of war and missing in action in Vietnam and their anxious families here at home, the resulting pressure of world opinion might encourage North Vietnam to comply with the Geneva Convention.

There is no question that the provisions of the Geneva Convention Relative to the Treatment of Prisoners of War of 1949 apply to the current situation in Vietnam. North Vietnam, South Vietnam, and the United States have all ratified or assented to the convention, and the international committee of the Red Cross has declared that the Vietcong are bound by the agreements of North and South Vietnam.

Article 2 of the convention states that the provisions "shall apply to all cases conflict which may arise between two or more of the 'high contracting parties,' of declared war or of any other armed even if the state of war is not recognized by one of them." This certainly would apply to the conflict in Vietnam, and the United States and South Vietnam have agreed to the convention's full applicability and to honor its provisions.

For many of the families of these 1,600 prisoners of war and missing-in-action personnel, the most aggravating aspect of this tragic situation is simply not knowing whether their loved ones are living or dead. Article 70 of the convention provides that immediately upon capture, or not more than 1 week after arrival at a camp, every prisoner shall be allowed to write to his family and to an international prisoner of war agency, such as the Red Cross, informing them of his capture, his address in captivity, and his state of health.

The North Vietnamese Government has refused to allow this simple notification of capture. Many of the other articles are similarly violated. Articles 71 and 76 authorize the sending of at least two letters and four postcards a month by each prisoner. Obviously, this is not being allowed. The record concerning packages sent to these men by their families has also been discouraging.

Article 126 authorizes the neutral inspection of prison facilities. North Vietnam has not allowed the international committee of the Red Cross to enter for this purpose. Articles 109 and 110 require that the seriously sick and wounded prisoners be repatriated as soon as they are able to travel. This has not been done. Article 26 requires that food be sufficient in quantity and quality to maintain health and prevent weight loss or nutritional deficiencies. Even the propaganda pictures which have been released by North Vietnam show clearly that the food is not adequate.

Mr. Speaker, the treatment these prisoners are receiving is in violation of article 13 of the convention, which states:

> Prisoners of war must at all times be humanely treated.

The only tragic precedent in civilized times for the actions of North Vietnam occurred during the Korean war when of the 7,000 Americans believed captured by North Korea, only 4,428 survived captivity.

The weight of world opinion, which has shown some success recently in the Soviet Union and in Spain regarding civilian prisoners, must be brought to bear now on North Vietnam. Our Government has given top priority to this problem at the Paris peace talks. The United Nations General Assembly adopted a resolution last month calling upon all parties to comply with the provisions of the 1949 Convention. Secretary of Defense Laird has stated that:

> Until the prisoners are released there will be no total and complete withdrawal of the American presence in Vietnam.

Congress itself has passed several resolutions expressing its deep concern for these men and its outrage over North Vietnam's barbarian treatment of them and their families. On September 22 of last year, there was an unprecedented joint session of Congress devoted to this problem. A year earlier the House held a special order session dedicated to these

men, and the proceedings filled more than 70 pages in the RECORD.

This joint resolution will enable the American people to properly demonstrate to the world and especially to North Vietnam that we are a united nation in our support for our prisoners of war and missing in action.

In recent weeks, there has been a slight improvement in the flow of mail from North Vietnam to the families, and more parcels have been allowed into the prison camps. There is some unofficial indication that the North Vietnamese might be more willing to notify the families of these men as to their status. I submit that these slight improvements are direct results of growing public interest and concern about these men. This resolution will allow this public interest to continue, hopefully with increasingly positive results.

LEAVE OF ABSENCE

By unanimous consent, leave of absence was granted to:

Mr. EDMONDSON, on account of official business in Oklahoma on January 22, 1971.

SPECIAL ORDERS GRANTED

By unanimous consent, permission to address the House, following the legislative program and any special orders heretofore entered, was granted to:

Mr. DOW, for 1 hour, January 28, 1971, and to revise and extend his remarks and include extraneous matter.

Mr. HALL, for 10 minutes, today, and to revise and extend his remarks and include extraneous matter.

Mr. MICHEL, for 10 minutes, today, and to revise and extend his remarks and include extraneous matter.

(The following Members (at the request of Mr. KYL) to revise and extend their remarks and include extraneous material:)

Mr. HOGAN, for 30 minutes, today.

Mr. SCHWENGEL, for 10 minutes, today.

Mr. MILLER of Ohio, for 5 minutes, today.

Mr. FINDLEY, for 10 minutes, today.

Mr. ANDERSON of Illinois, for 10 minutes, today.

Mr. PRICE of Texas, for 15 minutes, today.

(The following Members (at the request of Mr. TEAGUE of Texas) to revise and extend their remarks and include extraneous material:)

Mr. PRYOR of Arkansas, for 60 minutes, today.

Mr. REUSS, for 30 minutes, today.

Mr. FLOOD, for 20 minutes, today.

Mr. FULTON of Tennessee, for 20 minutes, today.

Mr. HARRINGTON, for 10 minutes, today.

Mr. MONTGOMERY, for 60 minutes, January 27.

Mr. MIKVA, for 60 minutes, January 28.

Mr. FLOOD, for 60 minutes, January 28.

Mr. ADAMS, for 60 minutes, January 26.

Mr. ADAMS, for 60 minutes, January 28.

EXTENSION OF REMARKS

By unanimous consent, permission to revise and extend remarks was granted to:

Mr. BOLAND in two instances and to include extraneous matter.

Mr. FASCELL in three instances and to include extraneous matter.

Mr. MILLER of California in five instances and to include extraneous matter.

Mr. ZABLOCKI, and to include extraneous matter.

(The following Members (at the request of Mr. KYL) and to include extraneous material:)

Mr. RIEGLE.

Mr. SCHERLE in 10 instances.

Mr. STEIGER of Wisconsin in two instances.

Mr. CONTE.

Mr. PETTIS.

Mr. BROOMFIELD in three instances.

Mr. HORTON in six instances.

Mr. BAKER.

Mr. MCDONALD of Michigan.

Mr. BROYHILL of Virginia in two instances.

Mr. HUNT.

Mr. LUJAN.

Mr. RAILSBACK in two instances.

Mr. SCHMITZ.

Mr. MORSE.

Mr. MCCLURE.

Mr. MIZELL in two instances.

Mr. COLLINS of Texas in five instances.

Mr. ZWACH in two instances.

Mr. DERWINSKI in three instances.

Mr. GUBSER.

Mr. WYMAN in two instances.

Mr. MILLER of Ohio in two instances.

Mr. BROTZMAN.

Mr. FULTON of Pennsylvania in five instances.

Mrs. HECKLER of Massachusetts.

Mr. SANDMAN.

Mr. WIDNALL.

Mr. KEITH.

Mr. PRICE of Texas in 10 instances.

Mr. COLLIER in four instances.

Mr. CHAMBERLAIN.

Mr. PELLY in three instances.

(The following Members (at the request of Mr. TEAGUE of Texas) and to include extraneous material:)

Mr. DENT in four instances.

Mr. BOLLING.

Mr. HAMILTON in 10 instances.

Mr. TEAGUE of Texas in six instances.

Mr. MAHON in two instances.

Mr. DELANEY.

Mr. O'NEILL in six instances.

Mr. HARRINGTON in two instances.

Mr. PATTEN in three instances.

Mr. KARTH.

Mr. BINGHAM.

Mr. FASCELL in three instances.

Mr. KASTENMEIER in three instances.

Mr. GREEN of Pennsylvania in four instances.

Mr. PUCINSKI in six instances.

Mr. DOWNING in two instances.

Mr. MOLLOHAN in three instances.

Mr. RARICK in five instances.

Mr. GALIFIANAKIS in two instances.

Mr. RONCALIO in two instances.

Mr. GIAIMO in 10 instances.

Mr. ANDERSON of California in two instances.

Mr. MIKVA in eight instances.

Mr. BEVILL.

Mr. KOCH in six instances.

Mr. GALLAGHER in three instances.

Mr. JOHNSON of California in three instances.

Mr. WOLFF in three instances.

Mr. HUNGATE in two instances.

ADJOURNMENT

Mr. TEAGUE of Texas. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 4 o'clock and 5 minutes p.m.), the House adjourned until tomorrow, Friday, January 22, 1971, at 12 o'clock noon.

EXTENSIONS OF REMARKS

REPORT TO NINTH DISTRICT CONSTITUENTS, JANUARY 18, 1971

HON. LEE H. HAMILTON

OF INDIANA

IN THE HOUSE OF REPRESENTATIVES

Thursday, January 21, 1971

Mr. HAMILTON. Mr. Speaker, under leave to extend my remarks in the RECORD, I include the following commentary on the 92d Congress:

WASHINGTON REPORT, JANUARY 18, 1971

(By Congressman LEE H. HAMILTON)

Although the 91st Congress compiled a substantial legislative record, it was overshadowed, to a great extent, by the bickering and tumult which brought the session to a close.

Each Congress, to a great extent, sets the mood and direction of the upcoming Congress. The legacy of the 91st, I believe, is a growing realization that reforms in the way Congress operates are needed. The 11th-hour dilemma of the 91st Congress demonstrated graphically its inability to handle quickly and effectively the growing and complex problems of the Nation.

It is becoming painfully apparent that better housekeeping is in order. Any institution that is unable to approve its budget until 6 or 7 months after the fiscal year already has begun needs radical surgery. Part of the problem is due to the increased size and complexity of government. But it is also due to the obsolete procedures, and a leadership weakened by the requirements of seniority and the privileges of incumbency.

The overriding aim in any reform of the Congress must be to improve the quality of legislation, not necessarily the quantity. The 91st Congress set the stage for the 92nd Congress to take positive steps to make the institution of Congress more responsive to the majority of its members, to insure better deliberation of the issues, and to favor the elected leadership of the Congress, not leadership automatically achieved on the basis of length of service.

The 91st Congress left a lengthy agenda of unfinished business for the upcoming Congress, which goes to work January 21. Among the first items to be considered will be increases in Social Security benefits and automatic adjustments tied to cost-of-living increases—a measure which passed both Houses but perished when it became snarled